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Summary record of the 4th meeting

Held at Headquarters, New York, on Wednesday, 8 October 2008, at 3 p.m.

Chairman: Mr. Argüello ..... (Argentina)

later: Mr. Elsherbini (Vice-Chairman) ..... (Egypt)

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08-54025 (E)

The meeting was called to order at 3.10 p.m.

Agenda item 37: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (A/63/23 (chaps. VIII, IX, X and XII), A/63/23/Add.1 and A/63/131) (*continued*)

Hearing of petitioners (*continued*)

Question of Western Sahara (A/C.4/63/5/Add.18-22, 24, 26, 27, 29, 30, 31, 33-37, 39, 41-44, 46, 47, 49, 52, 55, 56)

1. *At the invitation of the Chairman, Mr. Aurrekoetxea (Instituciones Solidarias con el Pueblo Saharaui a nivel del Estado Español) took a place at the petitioners' table.*

2. **Mr. Aurrekoetxea** (Instituciones Solidarias con el Pueblo Saharaui a nivel del Estado Español) said that it was lamentable that the international community had not yet resolved the question of Western Sahara and that the Security Council had not yet managed to enforce the agreements signed with warring factions. The Saharawi people continued to believe in dialogue and in the international legality respected by the 83 Governments that had officially recognized the Saharawi Arab Democratic Republic. He wished to thank Algeria for its solidarity with the Saharawi people, as well as Cuba and South Africa for providing training for young people in the Tindouf refugee camps. Worst of all, however, was the silence of decent people. Those present must speak out and condemn Morocco's failure to respect international legality, as well as its serious violations of human rights in the invaded Territory. Those violations included torture, disappearances, detention and killing.

3. He was grateful to the Secretary-General for striving to achieve a new agreement between the parties to the dispute through direct negotiations between the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO) and Morocco. The Saharawi people were stronger and more united than ever, thanks to the huge efforts of the Frente POLISARIO and the support of friendly nations and independent humanitarian organizations. He appealed to the Government of Spain to work with the international community towards the decolonization of Western Sahara, which continued to be a colony of Spain. That country should change its ambiguous posture of recent years and express clear support for an agreement under the auspices of the United Nations that would allow for the self-determination of the Saharawi people, including the option of independence.

4. *Mr. Aurrekoetxea withdrew.*

5. *At the invitation of the Chairman, Mr. López Ortiz (Federación Estatal de Instituciones Solidarias con el Pueblo Saharaui) took a place at the petitioners' table.*

6. **Mr. López Ortiz** (Federación Estatal de Instituciones Solidarias con el Pueblo Saharaui) denounced Morocco's brutal repression of the Saharawi people and its systematic violation, with impunity, of their most basic human rights. The previous month, peaceful demonstrations in Smara had been brutally suppressed by the Moroccan secret services. Such a situation was unacceptable. The prerogatives of the United Nations Mission for the Referendum in Western Sahara (MINURSO) for monitoring and defending the human rights of the Saharawi people should be extended and Morocco must not be allowed to prevent international observers from entering the Territory.

7. The Saharawi people had been awaiting a referendum on self-determination since 1992. Morocco, however, continued to oppose the Peace Plan for Self-Determination of the People of Western Sahara (Baker Plan), which had been endorsed by the Security Council. The United Nations was at a crossroads. It could either adopt political and economic measures to persuade Morocco to comply with the Baker Plan, or accept its failure and withdraw. The peace and security of the whole region was at stake.

8. *Mr. López Ortiz withdrew.*

9. *At the invitation of the Chairman, Ms. López Belloso (Investigator of the Instituto Hegoa on questions of humanitarian action and international law) took a place at the petitioners' table.*

10. **Ms. López Belloso** (Investigator of the Instituto Hegoa on questions of humanitarian action and international law) said that since the beginning of the conflict in 1975, when the Territory had been abandoned by the former administering Power, Spain, and occupied by Morocco, the latter had committed violations of international law on many counts. Humanitarian law provided for the right of humanitarian organizations to assist victims of armed

conflict as well as the right of victims to request and receive assistance; however, such organizations did not have access to Saharawi political prisoners, who were detained in overcrowded conditions without medical assistance. Illegal detention of human rights activists was systematic, as were torture and rape. The humanitarian situation in the camps was also deteriorating. As reported by the Saharawi Red Crescent, there was a serious lack of basic essentials owing to delays in distribution of food aid, the depletion of food reserves and the loss of cattle through drought. According to a recent study, acute malnutrition among children under five was 18 per cent, with chronic malnutrition at 31.4 per cent. Meanwhile, the anaemia rate among women was 61 per cent and 66 per cent in the case of pregnant women.

11. The progressive reduction in aid delivered by major donors, including United Nations agencies, had further worsened the situation of hundreds of thousands of refugees. Hunger was also being used as a weapon in the conflict, in direct violation of international humanitarian law. MINURSO, for its part, should be protecting the rights of the population in their occupied Territory as well as the rights of refugees. Not only had it failed thus far to fulfil its mandate, but it had been implicated in deplorable acts such as the destruction of Saharawi cave paintings and the delivery to the Moroccan authorities of a Saharawi activist who had sought United Nations protection.

12. Violations of the Saharawi population's civil and political rights included persecution and detention for political reasons and the suppression of demonstrations, while violations of their economic, social and cultural rights ranged from labour and social discrimination to the repression of cultural expression. Both in Western Sahara and in the refugee camps in Tindouf, the Saharawi people's right to peace, development and humanitarian assistance were also systematically denied. Women in particular were subject to torture and sexual aggression and suffered most from the deteriorating humanitarian situation in the camps. The people's right to self-determination was also violated, while the occupant, Morocco, exploited their natural resources. It was urgent to devise a fair solution to an unfinished process of decolonization in which so many provisions of international law were being violated.

13. *Ms. López Belloso withdrew.*

14. At the invitation of the Chairman, Ms. Chacon Ormazabal (Asociación de Vitoria-Gasteiz) took a place at the petitioners' table.

15. **Ms. Chacon Ormazabal** (Asociación de Vitoria-Gasteiz) said that she had witnessed with her own eyes the systematic violation of the fundamental rights of the Saharawi people by Morocco, in violation of its own constitution. Independent trade unions were banned and the activities of human rights defenders were restricted. The latter were subject to arbitrary arrest, detention without due process, death threats and administrative harassment. The United Nations Committee against Torture had repeatedly expressed its concern at their treatment. Reprisals were also made against the relatives of the defenders.

16. Many countries had direct responsibility for the situation, as well as strategic interests in Western Sahara. Meanwhile, the Saharawi people's natural resources were being plundered, inter alia, by transnational companies, and their environment degraded. A wall had been built in Western Sahara to conceal human rights violations, 60 times longer than the Berlin wall which had received so much more international attention.

17. *Ms. Chacon Ormazabal withdrew.*

18. At the invitation of the Chairman, Mr. Ruiz de Azua Solozabal (President, Euskal Fondoa) took a place at the petitioners' table.

19. **Mr. Ruiz de Azua Solozabal** (President, Euskal Fondoa), speaking for a Basque organization engaged in development cooperation and the promotion of human rights, observed that Western Sahara, the last colony in Africa, had a special legal status in that it was both a Non-Self-Governing Territory and a Territory under military occupation, and as the latter under the protection of international humanitarian law and the Fourth Geneva Convention. Since, under the Charter, the Territory had a legal status separate from that of the occupying Power, and thus could be in no way considered an integral part of Morocco, no State should conclude an agreement with Morocco that implied recognition of its sovereignty over the Territory. Similarly, since the people of Western Sahara had permanent sovereignty over the Territory's natural resources, no State should conclude an agreement with Morocco that involved exploration or exploitation of the Territory's natural resources.

20. Arbitrary detentions, torture and lack of guarantees, vis-à-vis the police and the courts persisted in the areas occupied by Morocco, as did the persecution of human rights defenders. Given the responsibility of the United Nations and its States Members for decolonization, the maintenance by force for a colonial situation could be grounds for application of measures under Chapter VII of the Charter by the Security Council.

21. It would be easy to devise a democratic solution — organizing a referendum of self-determination — but that would mean compelling Morocco to accept the international rule of law. The hopes aroused by the accession of King Mohammed VI had faded: Morocco continued to be a realm where an absolute monarchy held executive power and could arbitrarily alter the outcome of elections. That was the regime that now proposed an undemocratic autonomy plan that in essence denied the Saharan people their right to self-determination. Nevertheless, Morocco was still treated with surprising tolerance by the international community.

22. He felt obliged to denounce Spain's attitude: as the former administering Power of Western Sahara, with some responsibility for the continuing tragedy, it should work honestly for a definitive solution to the conflict. As a citizen of Europe, he also had to denounce the European Union for having signed a fishing agreement with Morocco that illegally extended to the territorial waters of Western Sahara.

23. The Saharan people were a small nation forged in the desert, seeking its freedom against all odds with dignity and determination, in order to build its future. It would be fitting if Africa awoke once and for all from the colonial night.

24. *Mr. Ruiz de Azua Solozabal withdrew.*

25. *At the invitation of the Chairman, Mr. Poblete (Defense Forum Foundation) took a place at the petitioners' table.*

26. **Mr. Poblete** (Defense Forum Foundation) said that he supported the Secretary-General's call for transparent and creative dialogue to ensure that the views of the peoples of the remaining Territories were heard. In the case of Western Sahara, such dialogue must be focused on implementing a concrete and comprehensive plan to finally carry out a free and fair referendum. During his first visit to the Territory in 1994, he had been struck by the optimism and strength of character of the Saharawi people who asked only that they might exercise their universal freedoms. No free, democratic nation could fail to support such aspirations. While MINURSO had managed to maintain the peace, the referendum process remained illusory. Although the Baker Plan had received the endorsement of the Security Council and Saharawi leaders, the King of Morocco had reportedly remarked that Moroccans would never give up one inch of their beloved Sahara. Mr. James Baker's resignation, meanwhile, had been viewed as a triumph of Moroccan diplomacy. Such manipulation of the United Nations process had a destabilizing effect in the Maghreb, while complacency on the issue exacerbated the human rights situation. There was a need for an urgent resolution of the conflict, which would not only benefit the Saharawi people, but help resolve security challenges, combat terrorism and expand economic prosperity for the entire region. All parties should be prepared to negotiate in good faith. Morocco, for its part, could and should be a regional leader, provided it stopped delaying the referendum process. The United Nations could not be a permanent fixture in Western Sahara, but it could be a short-term facilitator. It had already invested more than $1 billion on the issue, which must not be allowed to go to waste. The Baker Plan provided a road map, and the Territory should be flooded with international observers. Key interested parties, such as Spain, should also do their part. A free and fair referendum would only take a day to complete.

27. *Mr. Poblete withdrew.*

28. *At the invitation of the Chairman, Mr. de la Fuente Serrano (Human Rights Observatory, Colegio de Abogados de Badajoz) took a place at the petitioners' table.*

29. **Mr. de la Fuente Serrano** (Human Rights Observatory, Colegio de Abogados de Badajoz), speaking as representative of a group of Spanish lawyers who for six years had been conducting observer missions to document the human rights situation in Western Sahara, said that he had come to denounce the genocide of the unarmed Saharawi people perpetrated by Morocco, which had illegally occupied the Territory with the connivance of the international community.

30. The Observatory had for years taken testimony from dozens of human rights activists and defenders, victims of human rights violations and families of

disappeared persons and detainees; it had been able to enter the "black prison" of Laayoune, to speak with some Moroccan authorities and to document the extreme violation of the human rights of Saharawi citizens.

31. He and his colleagues had seen first-hand common graves in which hundreds of Saharawi, murdered after being tortured, lay forgotten, their fate never investigated. They had discovered the existence of secret detention centres where massive torture was practised; and had seen that the Saharawi people were living in conditions of which the outside world was largely unaware.

32. Morocco's premeditated, orderly and well-armed and financed system of repression and human rights violations involved mass arrests of civilians, storming the homes of activists and students who campaigned for the promised referendum and the observance of the most basic rights. Individuals had been identified who had been tortured and killed in secret detention centres in Laayoune, yet the charges of human rights activists and citizens had never been investigated, and no torturer had ever been brought to justice. Victims were at the mercy of the security forces and the self-styled "death squads", in a Territory where even MINURSO refused to open its doors to their complaints. It was urgent for the United Nations to assume responsibility for the defence of human rights in the Territory.

33. The Observatory wished to make two requests of the Fourth Committee: that it act to stop the repression by setting up a permanent human rights office in Laayoune under the United Nations High Commissioner for Human Rights; and that it compel Morocco to allow human rights organizations that were defending the interests of the unarmed population to function. If the Committee felt unable to do so, at least it should take some steps to stop the terror endemic in a Non-Self-Governing Territory for which it was responsible.

34. *Mr. de la Fuente Serrano withdrew.*

35. *At the invitation of the Chairman, Ms. Maoulainine (Association de protection des droits de l'homme (Maroc)) took a place at the petitioners' table.*

36. **Ms. Maoulainine** (Association de protection des droits de l'homme (Maroc)) said that she wanted to personally testify to the painful ordeal she and thousands of other Saharawi children had undergone. The same thing was still happening to children in the Tindouf camps in Algeria. In 1976, her family had been forcibly removed from southern Morocco to one of the Tindouf camps. There, at the age of 6, she and her mother had watched in horror as her father was brutally tortured by a man who still now was in the leadership of the Frente POLISARIO; her father had then been imprisoned because of his opposition to this organization. She herself was, with other young children, forcibly torn from her loving family and deported by the Frente POLISARIO at the behest of Algeria to Cuba for schooling, where she was made to live for 16 years, in violation of her basic right as a child to live with her siblings and parents.

37. **The Chairman**, concurring with a point of order raised by **Ms. Toledano** (Cuba), instructed the petitioner to restrict her comments to the item under discussion, without extraneous references to a Member State.

38. **Ms. Maoulainine** (Association de protection des droits de l'homme (Maroc)) said that her statement concerned the question of Western Sahara and that she could not avoid referring to Cuba because she was speaking of events that had occurred there. Her years of schooling there had been less traumatic because of the company of the other Saharawi children and the Cuban families and teachers who showed them affection. She was one of the lucky children who was able to go beyond the trauma and obtain an advanced degree, although many others remained psychologically damaged by the separation; still others had finished their studies but their diplomas had been confiscated by the Frente POLISARIO to prevent them from staying to work abroad or from leaving the Tindouf camps after their return. Because of that policy, the future of many young, educated Saharawi now living in Spain, Morocco or Mauritania had been compromised.

39. She wished publicly to thank the Cuban people, her teachers and her Cuban friends for the unconditional support and professional training they had given her and the other deported children. Upon her return to Tindouf, she had been devastated to learn that her father had died in prison together with thousands of Saharans who had disappeared in detention, all of them victims of the systematic violation of human rights and torture at the hands of

the Algerian tormentors and the Frente POLISARIO leadership, who even now held power with impunity.

40. As a victim of an odious crime against her and other innocent children in Tindouf, she accused Algeria of being responsible for the deportation of thousands of Saharawi children and their separation from their families. The Algerian Government must stop destroying families. She held Algeria responsible for the instability in the region and the threat of terrorism against all the peoples of the Maghreb.

41. *Ms. Maoulainine withdrew.*

42. *At the invitation of the Chairman, Ms. Weyl (Association des Amis del République Arabe Sahraonie Démocratique) took a place at the petitioners' table.*

43. **Ms. Weyl** (Association des Amis de la République Arabe Sahraouie Démocratique) said that she had visited Western Sahara to observe trials of human rights defenders and had met former prisoners, their families and defence lawyers. Since 2005, Saharawi people demonstrating in a peaceful uprising (*intifada*) had been brutally repressed by Moroccan forces, resulting in numerous trials of Saharawi activists in which their basic civil rights had been ignored. Their crime had simply been to chant Saharawi slogans, wave the Saharawi flag, belong to illegal Saharawi organizations or assert Saharawi identity. The trials tended to be based on forged evidence or confessions obtained under torture, defence lawyers were harassed and trials were expedited. In July, dozens of people in the village of Dakhla had been injured, arrested or abducted. However, despite such repression, the Saharawi people remained determined to exercise their right to self-determination. She hoped that her testimony would help their cause.

44. *Ms. Weyl withdrew.*

45. *At the invitation of the Chairman, Ms. Stame Cervone (President, Christian Democratic Women International) took a place at the petitioners' table.*

46. **Ms. Stame Cervone** (President, Christian Democratic Women International (IFDC)) observed that the question of Western Sahara had arisen out of a conflict fabricated by the Algerian authorities in an attempt to seize the Territory. It was amazing that the question was still on the Committee's agenda, and that there were still some who were calling for a referendum or even for independence for the Territory.

47. As a counterweight to Algeria's sabotaging of any proposal not to its liking, there were Morocco's legitimate rights in the matter and the possibility of a realistic diplomatic solution to the conflict that took account of developments since the 1970s. She paid tribute to the Personal Envoy of the Secretary-General — whose mandate had not been renewed — for his probity and intellectual honesty and the courage to say publicly what everyone knew: that independence was an unrealistic option for Western Sahara and that the only course satisfactory to all parties would be negotiations on the autonomy initiative proposed by Morocco.

48. She also drew the Committee's attention to the plight of the Saharawi children still being deported to Cuba by the Frente POLISARIO, over the protests of many international human rights NGOs.

49. **The Chairman**, supporting a point of order raised by **Ms. Toledano** (Cuba), instructed the petitioner to keep to the point under discussion without making inappropriate references to Cuba.

50. **Ms. Stame Cervone** (President, Christian Democratic Women International) assured the delegation and the Committee that her statement was not in any way intended as an attack against Cuba. Needless to say, it was Algeria that had a huge responsibility for the perpetuation of that human tragedy that victimized innocent Saharawi in the Tindouf camps. The entire problem could easily be resolved by lifting the state of siege imposed on the population and allowing the people to return to their homes in Morocco, where decent living conditions were ensured. It was difficult to see why Saharawi children had to be deported to an island thousands of kilometres away, when some of Algeria's enormous oil and gas revenues could have been used to attend to their educational needs, rather than for military purposes. Algeria had provoked the Western Saharan conflict as a way of weakening Morocco and making its oil-rich nation into a regional power. The victims were the Saharawi people affected and the Moroccan people forced to serve in the war imposed on them. Algeria had no interest in settling the issue.

51. *Ms. Stame Cervone withdrew.*

52. *At the invitation of the Chairman, Mr. Goiriz Ojeda took a place at the petitioners' table.*

53. **Mr. Goiriz Ojeda**, speaking in his personal capacity as a Canary Island lawyer and business leader

and an independent observer of the protracted and frustrating dispute over Western Sahara, said that its successful resolution would bring stability to the entire region, as well as prosperity, development and well-being, not only for the people of West Africa but also for those of southern Europe, where the Canary Islands were situated.

54. Western Sahara was not spared from the worldwide economic and financial crisis, which would directly impinge on programmes to combat clandestine immigration and all the criminal activities engendered by the great gap between rich and poor in Africa. But from his own experience as director of management-model negotiations within the European Union, he could affirm that the Canary Islands' political and economic autonomy could serve as a model for Territories such as Western Sahara. The gloomy global financial picture and terrorist threats such as those which had recently struck neighbouring Mauritania made settlement of the conflict all the more urgent. The Canary Islands had a particular interest in the matter because of their proximity to, and their emotional and trade ties with North Africa.

55. The autonomy proposal for Western Sahara under negotiation could lead to a model for the management of natural resources and raw materials, and allow the inhabitants of the Territory to decide on their future and that of the region.

56. *Mr. Goiriz Ojeda withdrew.*

57. *At the invitation of the Chairman, Mr. Assor (Surrey Three Faiths Forum) took a place at the petitioners' table.*

58. **Mr. Assor** (Surrey Three Faiths Forum) said that he was concerned with the humanitarian rather than the political aspects of the conflict, particularly the plight of the downtrodden inmates in the Tindouf camps. As in previous years he asked the Committee for permission to visit the camps without hindrance and bring out those who wished to return to their own country, Morocco, leaving those who — according to the Frente POLISARIO — wanted to remain in Tindouf. The numbers of detainees kept fluctuating, a further reason to let his group visit and count them and offer the necessary help. A vast amount of the food aid donors intended for the Tindouf camps had been deliberately and illicitly used for other purposes, such as military projects that cost more than the entire global budget of the United Nations High Commissioner for Refugees (UNHCR), by the Frente POLISARIO and their henchmen, with the indulgence of Algeria. The camp inmates hardly benefited from the aid, yet the Frente POLISARIO was calling for more. Its leaders wanted only to maintain their hold on power and to deceive the international community on the matter of the Saharan conflict in general. Donors were entitled to know how the supposed humanitarian aid was being used.

59. *Mr. Assor withdrew.*

60. *At the invitation of the Chairman, Mr. Romero Gonzalez, took a place at the petitioners' table.*

61. **Mr. Romero Gonzalez**, speaking in his personal capacity, said that he had interviewed more than 20 Saharan victims of crimes against humanity in El Aioun, as well as Saharawi residing on Spanish territory. Those interviews, along with the numerous medical reports he had seen describing the results of torture, massacre and other crimes carried out by the Frente POLISARIO against the Saharawi people, reflected the fact that the sole true victims of the conflict were the Saharawi people themselves.

62. Casting blame as thousands of men, women and children suffered and died in the conflict, was unethical. In the light of the magnitude of the human tragedy that was occurring in the Territory, the time had come to resolve that horrendous conflict. Complete independence for the former Spanish Sahara was an illusion; neither the current geo-strategic climate, the complex relations among the countries in the conflict zone, nor the interests of the Saharawi themselves favoured such an outcome. The question of Western Sahara could be settled on the basis of the autonomy plan recently proposed by Morocco, which represented a genuine opportunity for mutual understanding. Implementation of that plan would allow the social integration of all Saharawi; denying it the support it deserved would constitute a grave and regrettable error that could lead to decades of ever more violent conflict. The international community must work on the basis of the plan put forward by Morocco — the most serious opportunity for peace and real progress to date — and perhaps the only one likely to lead to a viable solution to the question of Western Sahara.

63. *Mr. Romero Gonzalez withdrew.*

64. *At the invitation of the Chairman, Mr. Boukhari (Representative of Frente POLISARIO), took a place at the petitioners' table.*

65. **Mr. Boukhari** (Representative of Frente POLISARIO) said that a human tragedy had been unfolding in his country since 1975, marked by violations of human rights that derived from the failure to respect the right of the Saharawi people to self-determination. Indeed, in the summer, a Moroccan newspaper, *Al Jarida Al Oula*, had published a statement to an official investigative body by a member of the Moroccan delegation to the Manhasset negotiations that three or four Moroccan army officers had committed war crimes off the battlefield when many civilians had been thrown from helicopters or buried alive merely because they were Saharawi. More than 600 civilians and 151 Saharawi soldiers had been unaccounted for since 1976.

66. Although Morocco had accepted the Settlement Plan in 1991, it had consistently failed to honour its commitments under that Plan; nor had it honoured those undertaken under the Houston Agreements of 1997 and the Baker Plan of 2003. Eighteen years later, MINURSO remained isolated and confined to its headquarters, impotent to address the human rights violations in his country.

67. The Saharawi people were determined to carry on its legitimate struggle and resistance until it had achieved the full exercise of its right to self-determination. Morocco's prolonged intransigence and oppression of his people did not build confidence nor contribute to the conditions needed for a peaceful solution. On the contrary, it was offering so-called autonomy as the only option in the Western Sahara decolonization process and setting it as a precondition. Frente POLISARIO sought full decolonization by means of a free and fair referendum on self-determination. Under the Charter of the United Nations and relevant resolutions, the Saharawi people were entitled to choose between independence and any other options, including integration with Morocco.

68. Even though no progress had been made during the latest round of negotiations at Manhasset, the Frente POLISARIO would continue to place its trust in international legality and to cooperate with the Secretary-General and his new Personal Envoy. While it stood ready to negotiate with its neighbour in seriousness and good faith, it would not yield on the Saharan people's right to self-determination and independence.

69. *Mr. Boukhari withdrew.*

70. *At the invitation of the Chairman, Mr. Ardesi (Italian Association of Friendship and Solidarity with the Saharawi People), took a place at the petitioners' table.*

71. **Mr. Ardesi** (Italian Association of Friendship and Solidarity with the Saharawi People) said that, while Morocco maintained that its territorial integrity should not be called into question, there was no de jure or de facto basis for its claims on Western Sahara. Moreover, Morocco had consistently ignored the 16 October 1975 advisory opinion of the International Court of Justice that had found no legal ties of such a nature as might affect the application of resolution 1514 (XV) in the decolonization of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the peoples of the Territory. The tripartite agreement concluded in Madrid on 14 November 1975, under which Spain had ceded its colony to Morocco and Mauritania, had not been recognized by any international forum, nor did it show that Morocco intended to exercise sovereignty over the entire Territory. Indeed, Morocco's occupation of only two thirds of the Territory was not recognized by any international or regional forum, while the Saharawi Arab Democratic Republic (SADR), a founding member of the African Union, had established its authority over the remainder. By its agreement under United Nations auspices with the Frente POLISARIO in 1988 on a plan for a referendum on self-determination, Morocco had recognized the decolonization issue and the means to settle it, and had moreover participated in all subsequent stages of preparation for the referendum. Yet it had then rejected the United Nations plan, reneged on its commitments and begun proposing autonomy instead.

72. If, as Morocco claimed, the Saharawi people fully supported the autonomy proposal, he wondered why did it prevent the free and genuine expression of the will of the people of the Territory, why did its occupation forces carry out large-scale repression which was denounced by international and even Moroccan human rights organizations, and why were journalists and fact-finding missions denied unfettered access to the occupied areas?

73. *Mr. Ardesi withdrew.*

74 *At the invitation of the Chairman, Ms. Thulin (Former Member of Parliament of Sweden), took a place at the petitioners' table.*

75. **Ms. Thulin** (Former Member of Parliament of Sweden) said that Spain carried a huge burden of guilt for the unjust way in which it had ended its colonization of Western Sahara, whose people had the right to self-determination under United Nations resolutions. Morocco's claims on Western Sahara territory had been rejected by the International Court of Justice; no States had accepted Moroccan sovereignty over Western Sahara, but some 60 States had recognized the Saharawi Arab Democratic Republic (SADR). Members of the Committee should urge their Governments to follow suit.

76. In addition to continuously violating the human rights of the Saharawi people during its years of illegal occupation, Morocco had built "a wall of shame" across Western Saharan territory laying over 6 million mines in the desert to prevent the free movement of the Saharawi people. It was also stealing their natural resources — prospecting for and exporting their natural resources despite United Nations resolutions against doing so. Morocco was not a party to the decolonization process; rather it was de facto an illegal occupier. Options for decolonization of Western Sahara were limited to free association, integration or independence, not autonomy.

77. The United Nations should call upon Spain to resume its role as administering Power and take responsibility for the decolonization process. The United Nations, meanwhile, must stop the ongoing Moroccan repression and end the illegal occupation. It must make public a list of countries and companies doing business in Western Sahara, take over the development of natural resources in the Territory, prevail upon the European Union to renegotiate its fishing agreement with Morocco to exclude waters off Western Sahara, and impose sanctions on Morocco for exploiting Western Saharan natural resources without the consent of the indigenous people. It must also demand the immediate release of all Saharawi political prisoners, demand the immediate demolition by Morocco of the wall through Western Saharan territory, impose sanctions against Morocco for violating human rights, send a mission to guarantee that Moroccan settlers and authorities did not violate the human rights of the Saharawi people and fully apply Chapter VII of the Charter of the United Nations.

78. *Ms. Thulin withdrew.*

79. *At the invitation of the Chairman, Ms. Warburg (Freedom for All), took a place at the petitioners' table.*

80. **Ms. Warburg** (Freedom for All) said that her organization's supporters harboured grave concerns about the continuing human rights abuses perpetrated in the Tindouf camps run by the Algerian-backed Frente POLISARIO. Morocco's innovative and enlightened proposal for an autonomy plan for the Western Sahara was aimed at achieving a permanent, mutually acceptable solution to the conflict, but the Frente POLISARIO had yet to engage in meaningful direct negotiations. Independence for the Western Sahara was not a realistic option, but a solution must be reached soon to end the sufferings of those detained in Tindouf. Her organization, which supported the autonomy plan, wished to draw attention to the grim conditions in the Tindouf camps, characterized by the forcible separation of families in contravention of the United Nations Convention on the Rights of the Child and of numerous other United Nations conventions relating to the protection of women and children from exploitation and trafficking. Humanitarian aid was being deliberately misappropriated by the Frente POLISARIO, and arbitrary punishment, torture and even slavery were prevalent. She called for an international investigation into forced disappearances from Tindouf, and endorsed the aims of the United Nations High Commissioner for Human Rights to alleviate current ills and abuses and prevent others from occurring, and hold perpetrators to account.

81. *Ms. Warburg withdrew.*

82. *At the invitation of the Chairman, Mr. Hamoudi (Saharawi student), took a place at the petitioners' table.*

83. **Mr. Hamoudi** (Saharawi student) said that he had been born in a refugee camp in southern Algeria, where his family had fled after the Moroccan invasion of Western Sahara in 1975. He and his family had endured privations in the camp, and he had been obliged to leave the camp at the age of 13 to pursue an education, first at an Algerian boarding school, then at an international high school in Italy. He had never given up hope of one day returning to Western Sahara, the homeland he had never seen. While the Moroccan authorities in the occupied Western Sahara violated the human rights of indigenous Saharawis, the Saharawi refugees in Algeria were also suffering as a result of the efforts of the Moroccan regime to convince

international humanitarian organizations to deny them aid.

84. Although the international community had recognized the right of the Saharawi people to self-determination, it had done nothing to implement it. Sovereignty for the Territory could only come about through a United Nations-sponsored referendum that allowed Saharawis to decide either to become an independent country or a part of the Kingdom of Morocco. Failure to conduct such a referendum could lead to a fresh outbreak of war between Morocco and the Frente POLISARIO.

85. *Mr. Hamoudi withdrew.*

86. *At the invitation of the Chairman, Mr. Cid took a place at the petitioners' table.*

87. **Mr. Cid**, speaking in his personal capacity, said that he had served as an international observer in the previous year's parliamentary elections held in Morocco; he was also a politician who had long monitored the situation in Western Sahara. He expressed the hope that the implementation of the relevant General Assembly resolutions by the parties would lead to agreements for the settlement of the conflict. Security Council resolution 1813 (2008), for example, had endorsed the recommendation of the report of the Secretary-General (S/2008/251) that realism and a spirit of compromise by the parties [were] essential to maintain the momentum of the process of negotiations, and had welcomed the serious and credible Moroccan efforts to move the process forward towards resolution. The autonomy proposal formulated by the Moroccan Government was an additional means towards that end. The Rio Group had recently produced a document that also called for negotiations regarding the conflict in Western Sahara to be carried out on the basis of the relevant Security Council resolutions, with a view to achieving a just, lasting and mutually acceptable political solution.

88. *Mr. Cid withdrew.*

89. *At the invitation of the Chairman, Mr. Jensen (former Special Representative of the Secretary-General for Western Sahara) took a place at the petitioners' table.*

90. **Mr. Jensen** (former Special Representative of the Secretary-General for Western Sahara) said that the case of Western Sahara demonstrated that there was no one-size-fits-all in political procedure. The identification process, launched as part of the Settlement Plan, had become a means of developing interaction between Morocco and the Frente POLISARIO. However, it had quickly become apparent that the Settlement Plan could never deliver an outcome that both Morocco and the Frente POLISARIO would voluntarily accept and implement, given the impossibility of reconciling their incompatible positions as to who should decide the future status of the Territory.

91. At the direct, high-level talks he had facilitated in 1996 as Special Representative for Western Sahara, both parties had agreed to consider a compromise that excluded unqualified independence and straightforward integration. His view that the most realistic solution to the conflict lay through a directly negotiated political settlement, was shared by Peter van Walsum, who had succeeded James Baker as the Secretary-General's Personal Envoy. Mr. van Walsum had publicly stated in early 2008 that genuine autonomy, rather than independence, was the feasible solution. Although the Council had welcomed the regional autonomy proposal presented by Morocco as "serious and credible", no real progress had been made in four rounds of talks at Manhasset.

92. Insisting on realism and a spirit of compromise as a way out of the current impasse, the Secretary-General and the Security Council had reiterated their call for a just, lasting and mutually acceptable political solution that would allow the people of Western Sahara to exercise self-determination, which could be realized through options other than independence. The people of Western Sahara deserved a decent and secure future. To that end, both parties would have to make concessions, and Algeria also had a key role in permitting reconciliation and development throughout the Maghreb region.

93. *Mr. Jensen withdrew.*

94. *At the invitation of the Chairman, Mr. Vidalin (Governor of Durazno, Uruguay) took a place at the petitioners' table.*

95. **Mr. Vidalin** (Governor of Durazno, Uruguay) said that he fully supported United Nations efforts to reach a peaceful, negotiated solution to the protracted conflict in Western Sahara, in accordance with Security Council resolutions 1754 (2007), 1783 (2007) and 1813 (2008). The Moroccan autonomy proposal should serve as a point of departure for further freedoms that

could eventually be attained through dialogue. Having observed legislative elections held in Morocco, he could attest to the will of the Moroccan authorities and people to work towards peace, a goal that the parties could attain by according the highest priority to the interests of their people.

96. *Mr. Vidalin withdrew.*

97. *At the invitation of the Chairman, Mr. Chauprade (Sorbonne University) took a place at the petitioners' table.*

98. **Mr. Chauprade** (Sorbonne University) said that a global boom in separatist movements and intensified terrorist activities in the Saharan region had illustrated the geopolitical risks of failing to resolve the conflict over the Moroccan Sahara; such developments would ultimately expose the artificial nature of the conflict. The Secretary-General's Personal Envoy for Western Sahara, Peter van Walsum concluded and informed the Security Council in 2007, after three years of consultations with local populations in the Southern part of the Territory and in the Tindouf refugee camps, that the option of an independent Western Saharan State was neither realistic nor feasible.

99. Establishing an autonomous Sahara within the sovereign State of Morocco was the win-win solution that must be pursued in order to put an end to the suffering of populations caught in the crossfire. As a general rule, existing States should consolidate their sovereignty and make adjustments to accommodate specific needs when necessary, instead of responding to regional problems by allowing regions to splinter into small, artificial States that would ultimately become satellites of a larger power. National sovereignty, as one of the essential pillars of the United Nations, must be safeguarded; reconciling sovereignty and autonomy would strike the ideal balance. In that connection, the proposal put forth by Morocco in 2007 deserved consideration.

100. *Mr. Chauprade withdrew.*

101. *At the invitation of the Chairman, Ms. El Moussaoui (Association sahraouie pour l'unité et la réconciliation) took a place at the petitioners' table.*

102. **Ms. El Moussaoui** (Association sahraouie pour l'unité et la réconciliation) said that while living in the Tindouf camps, she had been denied the most basic human rights and been kept under strict surveillance by the Frente POLISARIO and Algerian secret police. During a Frente POLISARIO congress, a group of Saharawis had held an historic meeting at Gjijimat near Tifariti, at which they had declared their staunch opposition to their organization's extremist positions and practices, and also denounced the Algerian secret police's exploitation of the principle of self-determination in order to achieve Algeria's expansionist aims. Indeed, Algeria's refusal to grant the inhabitants of the Tindouf camps legal protection under its laws — or, for that matter, its denial of Berber and Touareg rights to self-determination in their respective regions — severely undermined its claim that it was committed to that sacred principle.

103. She had exercised her right to self-determination by participating in the Gjijimat meeting, which had constituted a genuine act of popular resistance to separatism, Algerian secret police practices and the flagrant human rights violations committed by the Frente POLISARIO. Indeed, the only realistic solution to the conflict was the option of self-determination, as it respected Saharawi specificities and granted the people a broad degree of autonomy over their own affairs in a democratic context. She urged the Personal Envoy to take immediate action to liberate her brethren who were still being held captive in the Tindouf camps.

104. *Ms. Moussaoui withdrew.*

105. *At the invitation of the Chairperson, Mr. Boussif (Council of the Region of Rio de Oro) took a place at the petitioners' table.*

106. **Mr. Boussif** (Council of the Region of Rio de Oro) said that, as a democratically elected representative and member of the Royal Advisory Council for Saharan Affairs, it was his responsibility to express the legitimate hopes and aspirations of his fellow Saharawis, namely, to live with dignity in a unified homeland. Opting to remain in Morocco was the right choice, as it afforded Saharawis the opportunity to choose their elected officials and benefit from development projects, whereas Saharawi brethren abroad faced discrimination and an uncertain future.

107. The long-standing conflict was a product of the Cold War; in that connection, Algerian expansionist plans must be exposed and must not be allowed to encroach upon Morocco's historic rights. Mr. van Walsum had affirmed before the Security Council that independence for the Sahara was unrealistic but had also noted that many States preferred maintaining the status quo to having to support either Algerian or

Moroccan claims in order to find a solution. Denouncing such inaction, he pointed out that wide autonomy in the Sahara would respect the Saharawi culture and enable the Saharawi people to conduct their affairs within the democratic framework of a unified — yet ethnically and culturally diverse — State. He called on the international community to intervene to stop the tragedy and unify Saharawi families.

108. *Mr. Boussif withdrew.*

109. *At the invitation of the Chairman, Ms. Gonçalves Margerin (Robert F. Kennedy Memorial) took a place at the petitioners' table.*

110. **Ms. Gonçalves Margerin** (Robert F. Kennedy Memorial), speaking on behalf of Ms. Aminatou Haidar, 2008 Robert F. Kennedy Human Rights Award laureate, said that, since May of 2008, the Moroccan Government had committed gross human rights abuses against civilian Saharawis because of their political views on the issue of Western Sahara and their participation in peaceful demonstrations in support of self-determination. Repressive measures had included kidnapping, torture, arbitrary detention, curtailing freedom of expression and political arrests.

111. The Moroccan Government's efforts to misrepresent the positions of Saharawi human rights defenders had resulted in unjust prison sentences of up to 20 years. After releasing several Saharawi political prisoners on two occasions in the previous two years, the Government had since rearrested a number of them because of their participation in peaceful protests, subjecting the prisoners to ill-treatment. In addition, the Moroccan authorities had released policemen directly involved in the torture and killing of two young Saharawi men, Hamdi Lambarki and Suleiman al-Shwihi.

112. Saharawi human rights defenders were still waiting for the international community to increase pressure on the Moroccan Government, especially in the light of the report of the Office of the High Commissioner for Human Rights (OHCHR), which had linked the deteriorating human rights situation in the region to the failure to grant the Saharawi people the right to self-determination. It was shocking that the report had neither been approved by the United Nations nor made public. Morocco was thus allowed to flout international legitimacy and continue to violate the human rights of Saharawi civilians.

113. After several decades on the agenda of the Committee, the decolonization of Western Sahara had not been achieved by means of direct negotiations facilitated by the United Nations. She held the United Nations responsible for that impasse and deplored its silence in the face of crimes against humanity. The Organization must intervene to end the Saharawi people's prolonged misery, expand the mandate of MINURSO to cover human rights and publish and implement the recommendations of the 2006 OHCHR report.

114. *Ms. Gonçalves Margerin withdrew.*

115. *At the invitation of the Chairman, Ms. Hammaidi (Association de défense des femmes sahraouies) took a place at the petitioners' table.*

116. **Ms. Hammaidi** (Association de défense des femmes sahraouies) said that life in the Tindouf camps had become a nightmare under the control of the Frente POLISARIO and the Algerian authorities, both of whom used their Saharawi subjects as political pawns in the Western Sahara issue. When the family exchange visits programme had been established, she had felt the stirrings of hope, only to discover that the Frente POLISARIO authorities would be controlling the registration process and therefore deciding which families would be authorized to participate. While she had ultimately benefited from the programme, she had been faced with a difficult choice of either staying in Morocco and sacrificing her sons or returning to the torment of the camps. Having chosen the former, she had sought and ultimately received assistance from UNHCR and national and international legal associations to be reunited with her children.

117. In order to prevent such tragedies from recurring, UNHCR should put pressure on POLISARIO leaders and the Algerian authorities, to reverse their policy of taking children as hostages to guarantee their parents' return. She also called upon the Committee to assist Saharawi refugees to be reunited with their families, and ultimately to put an end to the suffering caused by the fabricated conflict.

118. *Ms. Hammaidi withdrew.*

119. *At the invitation of the Chairman, Mr. Vanossi (Former Minister of Justice of Argentina) took a place at the petitioners' table.*

120. **Mr. Vanossi** (Former Minister of Justice of Argentina), speaking in his personal capacity, said that

constitutional law was an important factor in the thorny and much discussed question of Western Sahara, as was international law. Given the complex nature of the problem, finding a solution would require taking into account all interests at stake, while also ensuring genuine institutional autonomy for Western Sahara. To that end, Morocco's proposal to grant regional autonomy to Western Sahara needed to be studied carefully to assess its prospects for facilitating reconciliation. That plan included autonomy safeguards for Western Sahara, and it respected the principle of subsidiarity. An autonomous Western Sahara would have to be ruled by a freely elected local government; the territory would also require engines for economic development and a tax-collecting body, in order to generate financial resources. Both parties would have to define the scope of powers granted to the autonomous authorities, which would include legislative, executive and judicial branches. Morocco was open to the possibility of holding a referendum in the region, following a proper census, which would settle the question of self-determination. Furthermore, the terms of autonomy set forth in the proposal could be negotiated. In sum, reaching a solution that was realistic, inclusive, and viable was of the utmost importance, and he was certain that Morocco would make every effort towards that end.

The meeting rose at 6.01 p.m.

United Nations A/C.4/63/SR.5

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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 5th meeting
Held at Headquarters, New York, on Thursday, 9 October 2008, at 3 p.m.

Chairman: Mr. Argüello ..... (Argentina)

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08-54307 (E)

The meeting was called to order at 3.10 p.m.

Agenda item 37: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*)

Hearing of petitioners (*continued*)

Question of Western Sahara (A/C.4/63/5/Add.9, Add.23, Add.28, Add.38, Add.40, Add.45, Add.48, Add.51, Add.53, Add.54, Add.57, Add.60 and Add.61)

1. *At the invitation of the Chairman, Mr. Olarte Cullen (Former President, Autonomous Community of the Canary Islands) took a place at the petitioners' table.*

2. **Mr. Olarte Cullen** (Former President, Autonomous Community of the Canary Islands) said that the Saharawis living under Moroccan rule were far better off than those in the refugee camps of Tindouf. It was for that reason that the Canary Islands had for many years budgeted substantial humanitarian aid for the inhabitants of those camps.

3. Spain's transition from dictatorship to democracy, which had coincided with its abandonment of Western Sahara, had been peaceful because all of its political and social forces had been able to renounce legitimate demands and positions for the benefit of the Spanish people as a whole. Similarly, the Frente POLISARIO and Morocco needed to make important sacrifices in order to be able to resolve their conflict peacefully for the sake of all Saharans.

4. One possible solution would be to give Western Sahara free association status since that would give the broad powers that came with full autonomy. Such a status would give the people the economic and financial advantages they needed to establish a modern and democratic society capable of fully achieving its potential for development.

5. *Mr. Olarte Cullen withdrew.*

6. *At the invitation of the Chairman, Mr. Simble (Norwegian Support Committee for Western Sahara) took a place at the petitioners' table.*

7. **Mr. Simble** (Norwegian Support Committee for Western Sahara) said that respect for international legality and human rights was essential for the successful resolution of any conflict. Unfortunately, some Governments were not quite willing to allow their actions to be guided by those norms when it came to Western Sahara.

8. Despite numerous United Nations resolutions confirming Western Sahara's status as Non-Self-Governing Territory and the illegality of Morocco's continued occupation of the territory, several States, including France and the United States, continued to support that occupation. Several private and state-owned companies also knowingly collaborated with Morocco in exploiting the Territory's natural resources.

9. In respect of human rights, he said that Saharawi human rights defenders had been singled out for maltreatment by Moroccan forces. Many of them were imprisoned in the infamous "black prison" in Laayoune, where they were subjected to a variety of human rights abuses including beatings, torture and rape.

10. The fate of those human rights defenders was crucial to the success of United Nations peace efforts in Western Sahara because they were doing the job of the Organization by actively promoting, through peaceful means, implementation of its resolutions. By risking their lives in defence of respect for human rights, international law and the inviolability of inherited colonial borders, they were laying the foundations for future peaceful coexistence between a decolonized Western Sahara and Morocco.

11. In order to end the occupation of Western Sahara, all Governments and organizations should pressure Morocco to halt immediately its repression of the Saharawis, respect human rights and end its virtual blockade of the territory.

12. *Mr. Simble withdrew.*

13. *At the invitation of the Chairman, Mr. Ropivia (Omar Bongo University) took a place at the petitioners' table.*

14. **Mr. Ropivia** (Omar Bongo University) said that, in view of the African Union's vision for a "United States of Africa", it was time to look at the question of Western Sahara from a new perspective. While the Moroccan autonomy proposal, did not fit the classic model of decolonization, it was compatible with the vision of a united Africa. Morocco had never been a colonial Power and it had been the first African country to request that Western Sahara be placed on the list of Non-Self-Governing Territories to be decolonized.

15. Recognizing that the classic equation of self-determination resulting in independence and the creation of a sovereign State was no longer valid in the context of globalization, the plan called for a federal relationship between Morocco and Western Sahara that respected the particularities of both peoples. Pragmatic and in line with contemporary conceptions of territory and statehood, the proposal also took into account the evolution of understanding of the various modes of implementing the right to self-determination as outlined in various General Assembly resolutions, particularly resolutions 1541 (XV) and 2625 (1970).

16. The Moroccan plan for autonomy within a federal union with a greater Morocco would allow the people to maintain their identity and endow them with the administrative powers they needed to govern themselves in the most efficient manner possible. Moreover, it would spare the world from a conflagration that could have catastrophic consequences, given the current global situation.

17. He called on the supporters of traditional solutions to the question of Western Sahara, namely independence or partition, to negotiate in a spirit of realism, consensus and compromise in order to reach a political solution that would preserve the unity of the Saharan people and the territorial integrity of Morocco.

18. *Mr. Ropivia withdrew.*

19. *At the invitation of the Chairman, Ms. Bahaijoub (Family Protection) took a place at the petitioners' table.*

20. **Ms. Bahaijoub** (Family Protection) said that it was time to decouple the political and humanitarian elements of the conflict in Western Sahara. So long as the Security Council continued to seek a lasting political solution, the refugees in the Tindouf camps should be allowed to choose whether they wished to return to Morocco or to settle somewhere else. While the Algerian Government had accorded some 4,000 Palestinian refugees nearly the same rights as Algerians, it refused to issue travel documents to Saharawi refugees.

21. International organizations that assisted the refugees of the Tindouf camps were working in the dark because they were unsure of exactly how many refugees there were. The only figures available were provided by the Algerian authorities, who insisted that the numbers had remained unchanged at over 150,000 since the start of the conflict. According to the World Food Programme (WFP) and the Office of the United Nations High Commissioner for Refugees (UNHCR) the true number of refugees was closer to 90,000.

22. It was no secret that Algeria was exaggerating the number in order to bolster the Frente POLISARIO's credibility and keep regional tensions high. In fact, the majority of Saharawis, whether in the Tindouf camps or in Morocco, opposed the Frente POLISARIO. Since, according to Reuters, the Secretary-General's Personal Envoy to Western Sahara had suggested that an independent Western Sahara was not a viable proposition, it seemed that the only way of guaranteeing that the people of Western Sahara could run their own affairs was the Moroccan autonomy proposal. She therefore called on the international community to ensure that the ongoing negotiations between the parties were continued.

23. *Ms. Bahaijoub withdrew.*

24. *At the invitation of the Chairman, Mr. Cameron (World Action for Refugees (Norway)) took a place at the petitioners' table.*

25. **Mr. Cameron** (World Action for Refugees (Norway)) said that his organization had evidence of flagrant human rights violations in the Tindouf camps and he therefore called for an investigation into conditions in those camps.

26. Noting that, according to a recent Amnesty International report, in camps controlled by the Frente POLISARIO, freedom of movement, expression and association remained restricted and that perpetrators of human rights abuses continued to enjoy impunity, he pointed out that the presence of military installations in refugee camps was inconsistent with the purpose of such camps and that, as far back as 1987, the Executive Committee of the Programme of the United Nations High Commissioner (UNHCR) had urged States of refuge to do all within their power to ensure that the civilian and humanitarian character of refugee camps was maintained.

27. According to UNHCR guidelines, any organization engaged in assisting refugees was required to identify and register the refugees it protected. Despite those requirements, there had never been a credible, independent registration process in the camps and the number of refugees had always been provided by Algeria.

28. He therefore called on the Special Committee to exert pressure on the parties involved to carry out a credible and objective census in order to ensure that refugees received appropriate assistance and continued protection; to cooperate with national and international organizations to reunite refugee families and to inform the refugees in the Tindouf camps about their basic human rights.

29. *Mr. Cameron withdrew.*

30. *At the invitation of the Chairman, Mr. Pinto Leite (International Platform of Jurists for East Timor) took a place at the petitioners' table.*

31. **Mr. Pinto Leite** (International Platform of Jurists for East Timor and Stichting Zelfbeschikking West-Sahara) said that Morocco continued to defy General Assembly and Security Council resolutions on Western Sahara and violate international law with impunity.

32. Under international law, the obligation not to obstruct the right of a colonized people to self-determination was considered *jus cogens*, a legal principle so fundamental that it did not allow any exceptions. The obligation of States to refrain from torture were also *jus cogens*. Morocco had violated both norms.

33. Having committed itself to holding the referendum on self-determination, Morocco had now reneged, citing difficulties in determining the number of eligible voters. However, it seemed to see no obstacles when the only option on the referendum was its own autonomy plan.

34. The Moroccan authorities had attempted to depict the Saharawi struggle for self-determination as illegal and had even called it terrorism. That was a ridiculous accusation, given that the Saharawi had adhered scrupulously to the 1991 ceasefire, even though that ceasefire was part of the autonomy plan that had never been implemented.

35. Recalling that some of the petitioners in favour of the Moroccan position had called for the establishment of an ad hoc tribunal in order to investigate crimes committed, he said that the first concern of such a tribunal should be the crimes committed in Moroccan-occupied Western Sahara. Clearly the proposal was not sincere because Morocco had opposed the release of a report by the United Nations High Commissioner for Human Rights on the human rights situation in Moroccan-occupied Western Sahara and had opposed the expansion of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) to include human rights.

36. *Mr. Pinto Leite withdrew.*

37. *At the invitation of the Chairman, Mr. Soroeta Liceras (Universidad del País Vasco) took a place at the petitioners' table.*

38. **Mr. Soroeta Liceras** (Universidad del País Vasco) noted that as the occupying Power in Western Sahara, Morocco was in contravention of international humanitarian law. Furthermore, the United Nations Office of Legal Affairs had confirmed, in 2002, that Morocco was not the administering Power, which made its exploitation of the territory's natural resources illegal. The United Nations had recognized the Saharawi people's right to self-determination, and only the exercise of that right through a referendum would put an end to the conflict.

39. Eighteen years earlier, the Security Council had approved the Settlement Plan, which called for a referendum with two options on the ballot: independence or integration. However, Moroccan efforts to forestall Saharawi independence had rendered the plan unrecognizable. Although the Baker Plan that followed provided for a referendum under far more favourable conditions for Morocco, whose colonists in the territory vastly outnumbered Saharawis and were eligible to participate, the Moroccan Government had once again interrupted the referendum process and withdrawn from negotiations.

40. While the Frente POLISARIO had made countless concessions, including giving up its right to armed struggle, Morocco had consistently manipulated the peace process to avoid the holding of a referendum. The Settlement Plan, which had been freely negotiated by both parties and had been approved by the Security Council, made any new agreements unnecessary. Despite the inability of the Council to impose a final solution, it was indisputable that international law was on the side of the Saharawi people.

41. The autonomy plan proposed by Morocco was not in line with relevant international agreements. Were the Saharawi to accept it and return to their land on those terms, the conflict would become an internal issue within Morocco and Saharawi nationalistic fervour would erupt into protests.

42. In closing, he urged the Committee to continue to promote decolonization of Western Sahara despite Moroccan pressures, and also noted with dismay the presence at the meeting of two Moroccan officials against whom Spain had brought charges of crimes against humanity.

43. *Mr. Soroeta Liceras withdrew.*

44. *At the invitation of the Chairman, Mr. Jiménez, journalist, took a place at the petitioners' table.*

45. **Mr. Jiménez**, speaking in his personal capacity, said that Saharawi society — which was, by definition, Moroccan — demanded a clear division between those who opposed Algerian coercion as an instrument of political action and those not willing to do so. Thirty-three years after the configuration of the Sahara as part of Morocco, the political pact symbolized by the Green March remained unfulfilled due to pressures from neighbouring countries. A firm commitment to ethical principles must be made by all, independent of political considerations. Such a commitment might compel Algeria to abandon its support of a fictitious State to the south, as that support had prolonged the suffering of Moroccans living in southern provinces.

46. A majority of Saharawi citizens living in Algeria were deprived of the most basic rights and freedoms, including freedom of expression, as evinced by the absence of any first-hand account of living conditions in the Tindouf camps on the Internet. Moreover, whereas Saharawis living in the south of Morocco could participate freely in the electoral process, their counterparts in Algeria did not even know what a voting booth was.

47. *Mr. Jiménez withdrew.*

48. *At the invitation of the Chairman, Mr. Bastagli took a place at the petitioners' table.*

49. **Mr. Bastagli** said that although the United Nations had repeatedly reaffirmed its responsibility towards the people of Western Sahara, it had not been able to ensure that the Saharawis exercised their inalienable right to self-determination. The Committee had also failed to fulfil its specific obligation to protect their interests and welfare. The outrageous lack of independent information and advocacy on Western Sahara in the Secretariat was exemplified by the soporific reports submitted to the Committee, in contrast to the substantial information provided by administering Powers on other non-self-governing territories.

50. In the absence of a legitimate administering Power for Western Sahara, it became the duty of the Committee to fulfil the "sacred trust" cited in the Charter, stalled political process notwithstanding. In that connection, the Secretary-General and concerned United Nations agencies should be asked to secure independent information on the economic and social conditions of the Saharawi people — wherever they might be living — as well as on governance and human rights issues; transmit the information to United Nations and other relevant intergovernmental bodies; advocate the basic human and economic rights of the Saharawi people in pursuit of an equitable solution; and formulate and implement a programme of assistance to the Saharawi people.

51. He wondered whether the current hands-off approach adopted by Member States and the Secretariat, however well-intentioned, had in fact, handicapped the search for a fair and lasting solution in Western Sahara. By providing the necessary information, advocacy and assistance, the Organization could prevent growing discontent from degenerating into civil unrest and open conflict, and provide a more informed and open decision-making environment for the political process.

52. *Mr. Bastagli withdrew.*

53. *At the invitation of the Chairman, Mr. Morillas Gómez (Autonomous Community of Madrid) took a place at the petitioners' table.*

54. **Mr. Morillas Gómez** (Autonomous Community of Madrid) expressed concern at the flow of undocumented people into Spain from North Africa, noting that one contributing factor might be the fact that resources that might otherwise have been invested in regional development were being squandered on Morocco's costly occupation of Western Sahara. Meanwhile, an "immigration industry" was capitalizing on the desperation of people willing to pay an average of 900 Euros for a seat on an overcrowded vessel.

55. Mounting social discontent and misery were exacerbating tensions throughout North Africa and had recently led to the overthrow of the Government of Mauritania. Drug trafficking and terrorist activities were also on the rise in Morocco. The United Nations must act to prevent the emergence of narco-terrorist

alliances such as those that had proliferated in Colombia and must take into account the fact that Moroccan problems could have repercussions throughout the entire region.

56. *Mr. Morillas Gómez withdrew.*

57. *At the invitation of the Chairman, Mr. Diallo (Centre d'Etudes Diplomatiques et Stratégiques de Dakar) took a place at the petitioners' table.*

58. **Mr. Diallo** (Centre d'Etudes Diplomatiques et Stratégiques de Dakar) said that the Committee had failed to make much headway towards resolving the question of Western Sahara because of its misunderstanding of the issue. Western Sahara had been a part of Morocco since antiquity. The issue should be viewed, not in terms of decolonization, but rather in terms of autonomy, hence the wisdom behind the Moroccan initiative, which heralded a new model of global governance that was bound to have a positive impact on the entire region and across the African continent.

59. He urged the Committee to rally around the brilliant Moroccan proposal as a means of moving towards finding a lasting solution to the question of Western Sahara.

60. *Mr. Diallo withdrew.*

61. *At the invitation of the Chairman, Ms. Oksalampi (YAAKAARE-REDHRIC) took a place at the petitioners' table.*

62. **Ms. Oksalampi** (YAAKAARE-REDHRIC) said that it would be difficult to fully grasp the reality of the Tindouf refugee camps without having visited them. There was absolutely no freedom of expression in the camps, and all activities, in particular, visits by foreigners were monitored, regimented and contrived down to the last detail. In 1988 hundreds of refugees in the Tindouf camps had rebelled; authorities had responded with beatings and torture and some people had disappeared. Saharawi officials now conceded that the response had been "excessive".

63. After confirming that food aid intended for Saharawi refugees was being diverted by camp authorities, the European Commission Humanitarian Aid Office (ECHO) had taken measures to deter such fraud.

64. Three years earlier, the International Committee for the Tindouf Prisoners had urged the Committee to initiate an investigation into the fate of Moroccan prisoners of war who had been seen last at the Tindouf refugee camps and had also called for compensation for prisoners and their families. Regrettably, no action had been taken in that regard. In contrast, the Moroccan Government had compensated all its repatriated soldiers.

65. She also expressed grave concern at the fate of Mauritanian prisoners of war and torture victims, and at the situation of all civilian Saharawis, particularly the slaves held by the Frente POLISARIO. Indeed, camp society continued to be plagued by slavery and the resulting anti-black racism, along with prejudice on the basis of tribal affiliations.

66. Finally, she read out an excerpt from a press release on the 2007 arrest by POLISARIO security forces of two Australian journalists who had discovered and reported on the ongoing practice of slavery in the Tindouf camps.

67. *Ms. Oksalampi withdrew.*

68. *At the invitation of the Chairman, Ms. d'Origny took a place at the petitioners' table.*

69. **Ms. d'Origny**, speaking in her personal capacity, observed that the people of Western Sahara, suffering under brutal Moroccan treatment, should be free to live in a State that the majority had chosen to represent them. Yet the international law that would permit that to happen had not been applied, ever since Spain's abandonment of its responsibilities in Western Sahara and Morocco's military occupation of the Territory on a pretext of sovereignty that the International Court of Justice had ruled was groundless.

70. Morocco had bullied the world into believing that it should be part of the Saharan vote for self-determination to be held under United Nations auspices. At the same time it had continually interfered with the work of the United Nations Mission for the Referendum in Western Sahara (MINURSO), by seeking to inflate the voter rolls with Moroccans posing as Saharans; once it had realized that it would never win the vote, it had refused to recognize independence as an option. Morocco, illegal occupier, known violator of Saharan human rights and thief of the Territory's natural resources, was now proposing an "autonomy plan" as an alternative.

71. The Secretary-General's new Special Envoy would have the job of seeing that Western Sahara was

freed from shameful colonial rule. It was not often that the law was so clear and the opportunity to make history so readily available.

72. *Ms. d'Origny withdrew.*

Question of New Caledonia (A/C.4/63/6 and Add.1)

73. *At the invitation of the Chairman, Mr. Boanemoi (Customary Senate of Ajie-Aro) took a place at the petitioners' table.*

74. **Mr. Boanemoi** (Customary Senate of Ajie-Aro) recalled that the Customary Senate of which he was a member had been founded under the Nouméa Accord to safeguard the Kanak identity that would be the cornerstone of the future State of New Caledonia. Reviewing the main obstacles to the emancipation of his people, he said that the Kanaks, who were to have been at the centre of the institutional arrangements during transitional self-rule, had found themselves instead being marginalized, especially in key sectors of society. They were also becoming a minority in their own country because of increasing immigration from metropolitan France following the signing of the Matignon and Nouméa Accords, despite French promises to stem that flow. A bill to restrict the right of immigrants to work had yet to be adopted.

75. Moreover, the great gap between the tribal or provincial way of life and the modern "progressive" urban model patterned on the French way of life was causing a breakdown in Kanak society, leading to delinquency, addiction, violence and even suicide among the young. Young Kanaks, especially in the provinces, lagging in education in comparison with young people of European origin and lacking the degrees offered by the elitist French-inspired schools, were unable to find jobs, and that too encouraged delinquency. After 155 years of colonization, there was still not a single Kanak lawyer in Nouméa; there were three doctors, a few dozen engineers and only one magistrate and one university professor.

76. In addition, the land tenure agency established under the Nouméa Accord to enable Kanaks to buy property in suburban areas had been insufficiently funded. Real estate speculation was putting property out of reach for most Kanaks, creating a new form of colonization and preventing Kanaks from achieving the economic self-sufficiency that was their due.

77. Having suffered from the pollution created by the various industries in the Territory since the 1880s, the Kanaks — by tradition and belief respectful of the environment — were fighting to save the country by insisting on observance of anti-pollution norms that might prevent climate change and encourage biodiversity. The French Government should assist them in that.

78. Noting that the future of the Kanak people was the Committee's responsibility, he asked it to help the Kanaks close the chapter of colonialism with dignity. The Customary Senate invited the Committee to send a visiting mission to New Caledonia, as it had done in 1999, and it offered to host the next United Nations regional seminar on decolonization.

79. *Mr. Boanemoi withdrew.*

80. *At the invitation of the Chairman, Mr. Wamytan (Front de libération nationale kanak socialiste (FLNKS)) took a place at the petitioners' table.*

81. **Mr. Wamytan** (Front de libération nationale kanak socialiste (FLNKS)), speaking as representative of FLNKS and as special adviser to the President of the Customary Senate, said that his political movement represented the emerging Kanak State in preparation for the provincial elections to be held in 2009. France, however, did not desire the independence of New Caledonia and was doing everything to prevent it from achieving sovereignty, preferring rather to keep it within the French and European orbit. France always placed its own interests above those of the people of New Caledonia and gave primacy to its own constitution over United Nations decolonization norms.

82. FLNKS, like the Customary Senate, had always insisted on strict implementation of the Nouméa Accord; however, the decolonization process had now stalled, Kanaks had been virtually pushed out of the process and the people remained marginalized economically and professionally. Moreover, massive immigration from metropolitan France, largely to Southern Province, raised the spectre of partition with European settlers, a majority in the south.

83. Furthermore, the long-standing pillage of natural resources continued to intensify, even though the Kanak people, through their customary representation in the Senate and their political representation in FLNKS, had always defended the principle that the people were the masters and should be the beneficiaries

of their own natural wealth. Contrary to the provisions of the Nouméa Accord, the continuing colonial exploitation of New Caledonia's natural resources, particularly through large French or multinational metallurgical projects was depleting the resources that would be required for the exercise of self-determination, and threatening the viability of the future Kanak state.

84. What was more, the latest decision by the French President to regroup all French military forces in the Pacific in New Caledonia in order to ensure its presence in Melanesia violated the obligation of administering Powers not to use Non-Self-Governing Territories for military bases or installations. The Kanak people would also have to watch out for possible manoeuvres or interpretations that would undermine their right to vote in the referendum of self-determination to be scheduled between 2014 and 2018.

85. FLNKS asked for a United Nations investigation into the transactions by which France had allowed multinational control of certain natural resources and also into the responsibility of the French army for the Ouvéa massacre.

86. *Mr. Wamytan withdrew.*

Agenda item 33: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (*continued*) (A/63/65)

Agenda item 34: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories (*continued*) (A/63/23 (chaps. V and XII))

Agenda item 35: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*) (A/63/23 (chaps. VI and XII) and A/63/61)

Agenda item 36: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*) (A/63/67)

Agenda item 37: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*) (A/63/23 (chaps. VIII, IX, X and XII), A/63/23/Add.1 and A/63/131)

87. **The Chairman** invited the Committee to continue the general debate on the items under consideration.

88. **Mr. Butt** (Pakistan) said that progress on the unfinished decolonization agenda had been painstakingly slow in recent years, due to lack of implementation of relevant international commitments and obligations. His delegation supported the recommendations of the Special Committee, including the call on the administering Powers to take all necessary steps for full and effective implementation of the Declaration on decolonization, and the relevant United Nations resolutions.

89. The international community must renew its commitment to the complete eradication of colonialism. Furthermore, decolonization and self-determination — a fundamental human right — were essential to guaranteeing the universal respect for all human rights and fundamental freedoms. His Government therefore supported the inalienable right of all peoples living in non-self-governing territories, as well as those living under foreign occupation and colonial or alien domination, to self-determination.

90. Resolution of the issue of Western Sahara would be in the interest of lasting peace and cooperation in that part of the world. The ongoing negotiations process should lead to a mutually acceptable, negotiated and peaceful settlement that provided for self-determination of the people of Western Sahara.

91. The people of Palestine and the people of Jammu and Kashmir, had been waiting for decades to exercise their inalienable right to self-determination. Peaceful resolution of those core underlying issues was necessary for achieving peace, stability and progress in the Middle East and South Asia. For Palestine, hopes were still pinned on the Annapolis process, which had envisaged a peace treaty by the end of 2008. A composite peace process was also under way between India and Pakistan, whose leaders had recently agreed on several measures to promote an increasingly constructive dialogue for the peaceful resolution of the Jammu and Kashmir issue.

92. **Mr. Gregoire** (Dominica), speaking on behalf of the member States of the Caribbean Community (CARICOM), said that the region remained fervently committed to helping resolve the stalemate in the decolonization process, especially in the case of the small island Territories in the Caribbean and Pacific. It was disappointing that self-determination, and hence justice, for the peoples of the remaining 16 Non-Self-Governing Territories were still being denied in the twenty-first century.

93. A number of proposals had been made by both Member States and the dependent Territories themselves over the last two decades designed to invigorate the decolonization process, but they had not been implemented. Some of the activities proposed were noteworthy: the establishment of an expert group to examine the conditions in the colonial Territories; analytical studies — not just basic statistics or general information — on political and constitutional developments on the ground in the Territories; the establishment of special mechanisms to monitor the compliance of the United Nations system and Member States with the decolonization mandate, together with expert analysis of the small Territories, as called for in the Plan of Implementation of the Decolonization Mandate (resolution 61/130); and application of the case-by-case analysis of each Territory that had been adopted by the General Assembly. Those were only a sampling of innovative measures that had never been implemented either because of a lack of cooperation from administering Powers or resistance from the United Nations Secretariat. Surely the ability of Member States to effect real decolonization could not be limited to annual expressions of support for principles and the adoption of repetitive resolutions without regard for their implementation. It was time to deliver more concrete results.

94. CARICOM reiterated its endorsement of the special mechanisms contained in the Plan of Implementation, together with an accurate assessment of their programme budget implications. It also endorsed the convening of an expert seminar to examine the impact of the United Nations decolonization process on indigenous peoples in the Territories, in conjunction with the Committee on the Elimination of Racial Discrimination, the Special Committee and relevant rapporteurs of the Economic and Social Council, as recommended by the Permanent Forum on Indigenous Issues; and it supported the call of the Permanent Forum for the Human Rights Council for the designation of a special rapporteur on the situation of the indigenous peoples of the Non-Self-Governing Territories.

95. In the Caribbean, the dependent Territories were integral to the wider regional integration process, six or seven of them being members of CARICOM and three being members of the Organization of Eastern Caribbean States (OECS). All of them participated in regional inter-governmental institutions and several of them shared the Eastern Caribbean currency.

96. The interest of CARICOM in the political, economic and constitutional evolution of the Non-Self-Governing Territories as they proceeded towards self-determination was a logical consequence, and CARICOM had always sought to give voice in international forums to their concerns, especially over political dependency arrangements and inconsistent implementation by the United Nations of the various decolonization mandates. CARICOM had, for instance, called for reconsideration of the denial of the request of the Government of Montserrat to participate in the CARICOM Single Market and Economy; it had taken note of the OECS recommendation that the dependent Caribbean Territories should be enabled to sign and ratify OECS treaties on their own, and had welcomed the establishment of the OECS representation office in Puerto Rico to advance cooperation in all fields. The membership of the Caribbean and Pacific Territories in their respective United Nations regional economic commissions and their participation in selected world conferences and special sessions of the General Assembly was preparing them for the attainment of full self-government. They should also be allowed to take part in relevant technical programmes of the Economic and Social Council and other programmes of the wider United Nations system.

97. CARICOM urged the Office of the United Nations High Commissioner for Human Rights to publish its findings on the disquieting human rights violations committed against the people of Western Sahara. CARICOM supported the negotiation process under Security Council resolution 1754 (2007) and encouraged the Secretary-General to help advance a political solution that would guarantee the most viable option: the self-determination of the people of Western Sahara.

98. **Mr. Badji** (Senegal) said that in its consideration of the issue of the Western Sahara, the Committee must keep in view the primary objective of finding a just and lasting solution to the conflict. The proposal of Morocco, supported by Senegal, to give broad autonomy to Western Sahara seemed a realistic and reasonable way to allow the parties to find such a solution. In view of the apparently mutually exclusive positions of the two sides, only sincere negotiations could lead to a fair and lasting settlement of the problem. There was now an even greater need for the protagonists to display the realism and spirit of compromise needed to maintain the pace of the negotiations. Senegal reiterated its support for all the initiatives of the Secretary-General aimed at achieving a lasting solution to the conflict, and welcomed the signing of the agreement between the two sides regarding arrangements for expanding overland family visits. There should be many more such actions, to demonstrate that all roads to peace remained open; in the meantime, the Committee should arrive at a consensus on the draft resolution, so as to send a strong signal to the opposing sides and to the peoples of the region who were suffering the consequences of the conflict.

99. **Mr. Al Habib** (Islamic Republic of Iran) said that as long as millions of people in the Non-Self-Governing Territories continued to expect the Organization to help them end the scourge of colonialism, the issue of decolonization should remain a top priority in the agenda of the United Nations.

100. While the United Nations was to be commended for its work in the field of decolonization, some Member States nevertheless lacked the political will to implement the relevant provisions of the Charter. He urged the administering Powers to provide full support for the decolonization efforts of the United Nations, and called for the process of decolonization to be accelerated in order effectively to implement the plan of action of the Second Decade for the Eradication of Colonialism. For its part, the Special Committee had also to find more innovative and practical ways to fulfil its mandate on the basis of improved cooperation with administering Powers and in full recognition of the aspirations and interests of the peoples of Non-Self-Governing Territories.

101. The persistence of colonization was a matter of grave concern. United Nations decolonization policies and mechanisms should be reviewed in order to assist the Non-Self-Governing Territories truly to exercise their right to self-determination, and also with an eye to preventing the emergence of new economically, politically or culturally colonized territories. The small size and inadequate economic resources of the 16 remaining Non-Self-Governing Territories raised the risk of perpetuating colonialist affiliations under the pretext of modernity and democratic processes. His delegation reiterated the importance of the political, economic, social and educational advancement of Non-Self-Governing Territories in the decolonization process as a prerequisite to any decision to change their status. Promoting such advancement prior to the exercise of the right of self-determination was the responsibility of the administering Powers.

102. **Mr. Malhotra** (India) said that the continued existence of 16 Non-Self-Governing Territories served as a reminder that the process of decolonization remained unfinished. There was a need to blend urgency and activism with sensitivity and circumspection in approaching the task ahead; the needs and special circumstances of the people should be taken into account. Understanding of the political aspirations and stages of development of the people of each Territory was critical in enabling them to develop the political and socio-economic structures of their choice; a "one size fits all" approach was to be avoided at all costs.

103. For genuine constitutional and political advancement to occur, the peoples of a Territory must have sustained access to unbiased information about the political options open to them. Accordingly, the administering Powers should facilitate visits by United Nations missions to the Territories and the Special Committee should continue to organize regional seminars.

104. The cooperation and flexibility displayed by administering Powers in recent years could also form a basis for assisting the Special Committee in devising action plans for the decolonization of certain Territories. New Zealand had cooperated commendably with the Special Committee in regard to Tokelau; other administering Powers should follow its example. His delegation also agreed that the Special Committee should develop a mechanism for the systematic annual review of specific recommendations on decolonization, with a focus on the mandate as set out in General Assembly resolutions and the plan of action of the Second Decade.

105. The representative of Pakistan had recently made an unwarranted reference to the Indian state of Jammu and Kashmir, but should have refrained from making such comments on the internal affairs of another Member State. Such comments also ran counter to the agreed conclusions and recommendations of the Special Committee, which noted that statements of that kind were incompatible with the purposes and principles of the Charter of the United Nations. Nevertheless, India looked forward to a profound transformation in its relationship with Pakistan, enabling the two countries to work together on their shared objectives of peace, prosperity and security.

106. **Mr. Muburi-Muita** (Kenya), speaking on behalf of the Group of African States, said that although most of the world's people were no longer under colonial rule, it was regrettable that there were still 16 Non-Self-Governing Territories. Justice and freedom were nothing if not universal, and the entire membership of the United Nations should rededicate itself to implementing the Declaration on decolonization.

107. That required a collaborative effort, and therefore the Special Committee was urged to continue its dialogue and cooperation with the administering Powers. The Powers themselves should facilitate United Nations visiting and special missions to the Territories under their administration and should regularly transmit information on conditions there, while fulfiiling their obligation to promote the advancement of such Territories and to safeguard their natural resources as the heritage of their peoples.

108. Despite the United Nations consistent recognition of the inalienable right of the Saharawi people to self-determination and independence, Western Sahara remained a Non-Self-Governing Territory. The African Group urged the Frente POLISARIO and Morocco to continue direct negotiations without preconditions and in good faith, in order to achieve a just, lasting and mutually acceptable solution. There was no justification for continuing to delay resumption of talks.

109. The African Group reiterated its full support for the work of the Special Committee on decolonization.

110. **Mr. Mbuende** (Namibia) said that as the Second Decade drew to a close, it was the collective responsibility of the Member States to ensure that colonialism was eradicated from the face of the planet by the year 2010. Namibia called on countries administering Non-Self-Governing Territories to speed up the process of granting independence and self-determination to the peoples of those Territories, and urged the United Nations and the Committee to leave no stone unturned in their efforts to bring a speedy end to colonialism and foreign occupation.

111. Namibia supported the African Union's consistent position that the inalienable right of the people of Western Sahara to self-determination was not negotiable, a position given further credence by the 1975 advisory opinion of the International Court of Justice stating that no legal ties of territorial sovereignty existed or were recognized internationally between Morocco and Western Sahara. In resolution 34/37, the General Assembly had referred to Morocco's presence in that Territory as a "continued occupation", and many subsequent resolutions called for a just, lasting and mutually acceptable political solution through the holding of a referendum providing for the self-determination of the people of Western Sahara. He therefore urged the Government of Morocco to hold a referendum without further delay, in accordance with the Settlement Plan agreed between Morocco and the Frente POLISARIO.

112. Namibia noted with concern reports of human rights violations against the Saharawi people, and urged the Security Council to mandate the United Nations Mission for the Referendum in Western Sahara (MINURSO) to monitor human rights violations in that Territory. It was unacceptable that some Member States continued to refuse to include any mention of human rights in resolutions on the question of Western Sahara. Namibia was also concerned that the right of the people of Palestine to exercise their inalienable right to self-determination remained unresolved, and called for the immediate implementation of all United Nations resolutions on Palestine and the establishment of an independent Palestinian State.

113. **Mr. Maboundou** (Congo), after associating his delegation with the statement delivered by the representative of Kenya on behalf of the African Group, noted with concern that the Second Decade was drawing to a close without significant progress towards the eradication of colonialism. The international community must assist the Non-Self-Governing Territories to achieve the conditions that would enable them to exercise their right to internationally recognized self-determination. Stressing the urgency of

completing the decolonization process, he called on the administering Powers fully to cooperate with the Special Committee on Decolonization in enabling the peoples of Non-Self-Governing Territories to achieve self-determination. In that regard, his delegation reiterated its appreciation of the positive manner in which New Zealand had worked with the Special Committee in setting in motion the self-determination process for Tokelau, and called on the international community to continue assisting the people of Tokelau and other Non-Self-Governing Territories effectively to deal with the challenges posed by climate change and rising sea levels.

114. On the question of Western Sahara, his delegation requested the parties to the conflict to demonstrate the political will and willingness to engage in dialogue in order to negotiate on basic issues and ensure the implementation of the relevant Security Council resolutions so as to arrive at a fair, lasting and mutually acceptable political solution.

115. His delegation also stressed the importance of information programmes in the decolonization process, and called for the strengthening of working relations between the Special Committee and the Department of Public Information. Special Committee missions to the Non-Self-Governing Territories, as well as regional seminars like the one held at Bandung, Indonesia, in May 2008 were of particular importance in that they enabled the evaluations of the specific conditions in each of the Territories. Communication among the Special Committee, the Department of Public Information and the Department of Public Affairs should also be strengthened in order better to disseminate information on the right to self-determination in those Territories.

116. Closer cooperation was needed between the Special Committee and the administering Powers, with a view to setting up specific programmes of work tailored to each Territory and designed to facilitate the carrying out of the mandate of the Special Committee and the implementation of the resolutions on decolonization. The administrative Powers should also provide the Special Committee with up-to-date information on the social and economic conditions obtaining in the Territories for which they were responsible. The administrative Powers should refrain from engaging in any activity that ran counter to the interests of the peoples of the Territories, and should ensure the development of those Territories while taking the specific needs of each people into account. Moreover, closer contacts between the Special Committee and the Economic and Social Council would contribute to the strengthening of cooperation for economic and social development in the Territories.

117. **Mr. Chabar** (Morocco), speaking on a point of order, said that his delegation wished to dissociate itself from the content of the statement made by Kenya on behalf of the African Group, as members of the group had not been consulted about it prior to its delivery.

The meeting rose at 5.55 p.m.

United Nations A/C.4/63/SR.6

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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 6th meeting
Held at Headquarters, New York, on Friday, 10 October 2008, at 3 p.m.

Chairman: Mr. Argüela ..... (Argentina)

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* Items which the Committee has decided to consider together.

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08-54704 (E)

The meeting was called to order at 3.15 p.m.

Agenda item 33: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (A/63/23, chaps. VII and XII, and A/63/65)

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1. **Mr. Kapambwe** (Zambia) said that his delegation hoped that the administering Powers would live up to their obligations in the Non-Self-Governing Territories, and that they would accelerate the processes leading to the exercise of self-determination by the people of those Territories.

2. The negotiations in Manhasset regarding Western Sahara had begun with great promise the previous year, but more recently the process appeared to have failed to bring the parties appreciably closer to a resolution. The resulting disappointment, anger and frustration among the people of Western Sahara were reflected in the sentiments of the petitioners who had addressed the Committee. Such sentiments could lead to violence, and the people of Western Sahara had endured enough violence and suffering already. They deserved results from the negotiations, along with the empathy and assistance of the international community and a more active participation by the United Nations in the search for a solution. They were also entitled to the protection of the international community when their human rights were violated. The two parties must expedite their negotiations, but it was also incumbent on the United Nations to insist on progress and to speak out whenever either side violated the norms or slackened its steps in the peace process.

3. **Mr. Maboundou** (Congo), speaking on a point of order, said that his delegation wished to disassociate itself from the statement on the question of Western Sahara delivered by the representative of Kenya on behalf of the African Group at the previous fifth meeting.

4. **Mr. Mba Meye** (Equatorial Guinea) said that his delegation wished to contribute to finding a peaceful and democratic solution to the thorny problem of Western Sahara. He was nonetheless encouraged by the political process that was taking place and by the initiatives associated with that process, which he hoped, would lead to a definitive resolution of the issue. The entire international community should therefore support the efforts of the United Nations and of the Secretary-General in that regard. His delegation also wished to disassociate itself from the statement delivered by the delegation of Kenya at the previous meeting on behalf of the African Group.

5. **Mr. Oussein** (Comoros) said that his delegation remained committed to the eradication of colonialism. In the Sahara as elsewhere, armed force and intransigence must give way to the force of belief in the value of negotiation. He welcomed the commitment of the two sides to pursue negotiations and Morocco's serious and credible efforts to bring about a negotiated solution to the conflict. He expressed support for the relevant Security Council resolutions which called on both parties to engage in serious and substantial negotiations. Finally, he supported the Secretary-General and his Personal Envoy in their efforts to implement those resolutions and ensure a successful outcome for the negotiations in order to arrive at a fair, lasting and mutually acceptable political solution.

6. **Mr. Malmierca Díaz** (Cuba) said that as the end of the Second Decade approached, many of its objectives remained unfulfilled; the cause of decolonization must continue to be a priority of the United Nations. The efforts of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the good intentions of the vast majority of Member States were by themselves insufficient; the cause of decolonization required the full support of the administering Powers. That some of those Powers continued to refuse to

cooperate with the Committee on Decolonization, and to disregard their obligations under the Charter of the United Nations and numerous relevant General Assembly resolutions, was a matter of concern. However, New Zealand provided a positive example of constructive cooperation between an administering Power and the Committee in its handling of the October 2007 referendum in Tokelau and to the entire decolonization process in that Territory.

7. The United States had exercised colonial domination over Puerto Rico for 110 years, but the Puerto Rican people had never ceased their struggle for self-determination. In that regard, the Decolonization Committee had also adopted 27 resolutions on Puerto Rico, and had reiterated its request that the General Assembly should undertake a comprehensive review of the question of Puerto Rico in all its aspects.

8. The United Nations had reaffirmed that the conflict in Western Sahara was a decolonization issue falling within the purview of General Assembly resolution 1514 (XV). The parties should continue the negotiations begun in 2007 and make efforts to reach a solution compatible with the resolution and with the Charter of the United Nations.

9. He reiterated his delegation's firm support for Argentina in the dispute over the sovereignty of the Malvinas Islands, and called once again for a fair and definitive solution to that question as soon as possible.

10. Cuba saw as its duty the provision of study opportunities for the inhabitants of Non-Self-Governing Territories, and had granted 14 scholarships over the past year in addition to those awarded to the 587 students from those Territories currently studying in Cuba. Other Member States with the ability to do so should join Cuba in providing study and professional training facilities to youth from the Non-Self-Governing Territories. Finally, referring to the Economic and Social Council a resolution submitted on the support for Non-Self-Governing Territories by the specialized agencies and international bodies linked to the United Nations, he noted that those Territories could benefit significantly from the support of such agencies and bodies.

11. **Ms. Graham** (New Zealand) said that her delegation appreciated the effort by members of the Committee to consider the question of Tokelau. However, the people of Tokelau had once again failed to provide sufficient support, in the recent United Nations-supervised referendum, for a change in status from that of Territory to that of self-government in free association with New Zealand. As a result, the leaders of Tokelau had decided to focus their efforts on enhancement of core services rather than to move quickly to a third self-determination referendum. New Zealand was currently working with Tokelau on a major infrastructure programme to improve educational and health facilities, but of even greater importance was the impending inauguration of a safe and reliable shipping service, for which a purpose-built vessel would be used starting in 2010.

12. New Zealand was committed to providing the people of Tokelau with full preparation for their exercise of their fundamental right to self-determination and welcomed the ongoing interest of the Committee in the situation in Tokelau.

13. **Mr. Sow** (Guinea) said that there was still a need for close and active cooperation among all those involved in the decolonization process in order to find ways and means of effectively implementing the plan of action of the Second Decade. He welcomed the convening of the Pacific regional seminar in Bandung in May 2008 and fully supported the recommendations concerning regional seminars, information campaigns and special mission visits contained in the plan.

14. His delegation was grateful for the close cooperation between the Secretary-General and the Chairman of the Commission of the African Union aimed at finding a lasting solution to the question of Western Sahara. The continued participation of the parties in negotiations under the aegis of the Personal Envoy of the Secretary-General was an encouraging development in the peace process, as was the strengthening of such confidence-building measures as family visits. He also welcomed the willingness of the parties not only to renew negotiations in a spirit of good faith but also to move the process into a more intensive and substantive phase. Furthermore, they should cooperate with the United Nations in implementing the relevant resolutions of the Security Council and the General Assembly. The Fourth Committee should also support the new impetus in the negotiations by building on the achievements thus far as well as on the relevant decisions of the Committee on Decolonization and those of the Non-Aligned Movement. Finally, he urged the Secretary-General and his next Personal Envoy to continue their efforts to

arrive at a fair, lasting and mutually acceptable resolution of the question of Western Sahara.

15. **Mr. Abdelaziz** (Egypt), noting that the decolonization process had yet to be completed, reaffirmed the importance of implementing the right to self-determination pursuant to Article 73 of the Charter of the United Nations. In keeping with General Assembly resolution 55/146, declaring the Second International Decade for the Eradication of Colonialism, the Organization and its Members States should take whatever measures were needed to assist the peoples of Non-Self-Governing Territories to exercise their right to self-determination.

16. In order to bring about a swift end to colonialism, the Organization should mobilize international public opinion in support of colonial peoples. It should also endeavour to strengthen communication between the General Assembly, the Special Committee, the Human Rights Council, the Department of Public Information and the Department of Political Affairs, with a view to determining the best possible means for those peoples to achieve independence.

17. He called on all administering Powers to provide in a timely manner to the Special Committee comprehensive information on the political, economic and legislative situation in the Territories under their administration, in accordance with Article 73 *e* of the Charter. The right of colonial peoples to manage their natural resources must be reaffirmed and any misuse of those resources by the administering Power should be condemned; the cultural identity of colonial peoples should likewise be protected and preserved.

18. The eradication of colonialism would require further strengthening of the principles of liberty, democracy and equality among nations and an unwavering commitment to the inalienable right of all peoples to self-determination and the end of foreign occupation of their territory, without exception. His delegation would continue to support the efforts to eradicate colonialism.

19. **Mr. Hermida Castillo** (Nicaragua) praised the Special Committee for its dedicated and tenacious efforts to eradicate colonialism and to assist colonial peoples to attain their inalienable rights to self-determination and independence, in accordance with General Assembly resolution 1514 (XV). Noting that the recommendations, resolutions and decisions of the Special Committee were vital to the process of self-determination, he urged the administering Powers to collaborate fully with it so as to fulfil at last the objective of resolution 1514 (XV).

20. Recalling that the Special Committee had reiterated, year after year, the right of the Puerto Rican people to self-determination and independence, he said that Puerto Rico should not continue to be the exception in the decolonization of the Caribbean region. The time had come for the General Assembly to act on the recommendation of the Special Committee and to consider the question of Puerto Rico.

21. His country, as it had always, stood in solidarity with the Saharawi people in their heroic struggle for self-determination and independence. In that regard, he hoped that Morocco and the Frente POLISARIO would continue to negotiate without prior conditions in order to achieve a just and lasting peace in Western Sahara. He also expressed the solidarity with Argentina in respect of the dispute over the sovereignty of the Malvinas Islands.

22. **Mr. Issoze-Ngondet** (Gabon) said that his country remained committed to the principle of multilateralism and to the central role of the United Nations in resolving international problems. However, the Organization needed to redouble its efforts if colonialism were to be completely eradicated by 2011.

23. On the question of Western Sahara, he called for intensified efforts to advance the Manhasset negotiations between the parties, under the auspices of the Secretary-General. In that connection, he welcomed the Moroccan autonomy initiative and Security Council resolution 1754 (2007), which called on the parties to enter into negotiations, with a view to achieving a just and lasting political solution. He called on Member States to redouble their efforts in support of those negotiations in order to ensure their successful conclusion.

24. **Mr. Al-Zayani** (Bahrain) reviewed the resolutions and declarations that had been adopted over the years with a view to ending colonialism. Although the Second International Decade for the Eradication of Colonialism had lost momentum, that had not diminished in any way its importance to efforts aimed at ending colonialism.

25. Member States recognized that colonialism hindered international economic cooperation, impeded the social, economic and cultural development of the

peoples of Non-Self-Governing Territories and was a violation of the Charter of the United Nations and international law. It was therefore the duty of all States Members to support the Organization's efforts to completely and swiftly eradicate colonialism.

26. **Mr. Sekudo** (Nigeria) said that international commitment to the implementation of the plan of action of the Second International Decade for the Eradication of Colonialism remained strong. That support should be translated into action in order to ensure that the 16 remaining Non-Self-Governing Territories attained their independence by 2010. Nigeria supported the continued application of the principle of self-determination without conditions to all of the remaining Territories and was opposed to any policy that perpetuated subjugation or sought to thwart the enjoyment of sovereign independence.

27. His delegation was concerned over the slow progress towards a resolution of the question of Western Sahara. While the Government of Algeria was to be commended for granting asylum to Saharan families and individuals displaced by the conflict, such a gesture did not diminish the need to launch the referendum process as expeditiously as possible. In that connection, the African Union had offered to work in concert with the United Nations in order to facilitate the holding of the referendum. He called on the parties to the conflict to negotiate without prior conditions and in good faith in order to achieve a just, lasting and mutually acceptable political solution.

28. **Mr. Santos** (Timor-Leste) said that United Nations intervention in his country had been decisive in allowing the people of Timor-Leste to exercise their right to self-determination and independence, and the United Nations should uphold the same standard for the people of Western Sahara. Allowing the Saharawi people to exercise their right to self-determination was the only way to resolve the decades-old conflict. Timor-Leste was hopeful that all sides would cooperate fully on the matter with the Secretary-General and his next Personal Envoy, honour their commitments to human rights, and abide by their obligations under international law to release, without further delay, all those held since the start of the conflict.

29. **Mr. Aisi** (Papua New Guinea), speaking on behalf of Fiji, Nauru, Samoa, Solomon Islands, Tuvalu and Vanuatu, said that much remained to be achieved in order to realize the goals of the Second International Decade. The Committee should therefore continue its work to bring the process of decolonization to a successful conclusion. The delegations on whose behalf he spoke were committed to the fundamental rights of the peoples of the Pacific Territories to self-determination and decolonization, provided that they were in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in the Charter of the United Nations. While the issues facing each of the remaining Non-Self-Governing Territories of the Pacific were unique and complex, territorial size, geographical isolation or limited resources should neither inhibit nor prohibit the peoples of those Territories from exercising their inalienable right to self-determination.

30. Referring to recent concerns expressed by the Governor and Senate President of American Samoa with respect to their limited say in decisions that affected the Territory, he pledged support for the wishes of the people of American Samoa and called on the administering Power to fully address their concerns.

31. Turning to Guam, he pointed out that the exercise of self-determination of the Chamorro people was clearly not a domestic issue, but rather one that was well within the Committee's mandate. He encouraged the Committee to send a visiting mission to the island and requested the administering Power to cooperate with the Committee in addressing the question of self-determination for the people of Guam. The States on whose behalf he spoke commended France's political, economic, social and cultural development initiatives in New Caledonia, and encouraged all stakeholders to contribute to the progress achieved in the efforts to allow the people of New Caledonia to exercise self-determination.

32. On the question of Tokelau, the cooperation of New Zealand with the work of the Committee and its actions in all aspects continued to be a model worthy of emulation by other administering Powers in the area of decolonization. Taking note of the results of the recent referendum, the States concerned fully respected the wishes of the people of Tokelau to defer any further act of self-determination. They also welcomed the establishment and operation of the Tokelau International Trust Fund to support the future development needs of the Territory, and urged Member States and regional and international agencies to

contribute to the Fund, which would provide Tokelau with greatly needed assistance in overcoming challenges posed by its small size, isolation and lack of resources.

33. **Mr. Loayza Barea** (Bolivia), associating himself with the statements made by Mexico on behalf of the Rio Group, Brazil on behalf of the Southern Common Market (MERCOSUR) and related States, and Cuba on behalf of the Non-Aligned Movement, said that a more committed response from administering Powers was needed in order to achieve the decolonization of the Non-Self-Governing Territories; Tokelau was an encouraging example in that regard. He welcomed the role of the Special Committee in providing a forum for joint action on such questions as the Malvinas, with regard to which the applicability of the principle of sovereignty, rather than that of self-determination, had been recognized by the General Assembly. Reiterating his support for Argentine sovereignty over the Malvinas, South Georgia and South Sandwich Islands, he expressed the hope that the United Kingdom and Argentina would reach a just, peaceful and lasting solution through constructive dialogue.

34. He reaffirmed his Government's support for the right of the Puerto Rican people to exercise their inalienable right to self-determination, in accordance with the purposes and principles of the Charter of the United Nations and international law. In over three decades, very little progress had been made on the question of Western Sahara. Relevant United Nations resolutions provided the necessary framework for the achievement of a just, peaceful and mutually acceptable solution to the last remaining colony in Africa through direct negotiations between the parties.

35. His Government firmly supported the holding by the Permanent Forum on Indigenous Issues of a seminar involving the leading agencies of the United Nations system to consider the impact of the decolonization process on the economic and social situation of indigenous peoples living in Non-Self-Governing Territories.

36. **Mr. Maure** (Mozambique) welcomed the Manhasset talks between the Kingdom of Morocco and the Frente POLISARIO, under the auspices of the United Nations, and encouraged both parties to redouble their efforts in order to reach a long-awaited, mutually acceptable and sustainable solution for the benefit of the Saharawi people.

37. **Mr. Ehouzou** (Benin) said that, even though the Second International Decade was due to end in two years, significant progress on determining the final status of disputed territories could be achieved through increased cooperation between the United Nations, the international community and the relevant parties.

38. Western Sahara remained a source of serious concern for his delegation, which was especially concerned over information in the Secretary-General's report concerning human rights violations. He called upon both parties to spare no effort to alleviate the suffering of the populations affected by that situation. Indeed, they should enhance their cooperation with the United Nations Mission for the Referendum in Western Sahara (MINURSO) and with each other in order to strengthen humanitarian programmes and confidence-building measures. He also welcomed the ongoing work of the United Nations, and, in particular, the Secretary-General, towards reaching a just, lasting and mutually acceptable settlement that took into account the will of all the people concerned. He also urged the parties to show flexibility in order to end the current political impasse. The progress made since 2006 through direct talks at Manhasset gave reason to hope that parties' differences could be overcome.

39. **Ms. Nduku Booto** (Democratic Republic of the Congo) said that her Government's position on the thorny question of Western Sahara remained the same: the parties to the conflict should reach a just, lasting and mutually acceptable solution enabling the self-determination of the people of that Territory, within the framework of the long-standing United Nations efforts to assist them to do so. Full cooperation with the Organization by the parties and the States of the region was essential. The Moroccan initiative for negotiating an autonomy statute for the Saharan region had created new dynamics and her Government welcomed the serious and credible efforts by Morocco to reach an acceptable settlement. Her delegation would support any impartial consensus resolution that, recognizing the Security Council's central role, supported the three latest Security Council resolutions and opposed outside interference with the ongoing negotiations between the parties.

40. **Mr. Kafando** (Burkina Faso) said that his delegation was not aware of any common African Group position on the question of Western Sahara and could not associate itself with any statement in that regard on its behalf. While he welcomed the relative

calm that currently reigned in Western Sahara, the current impasse was to the detriment of both parties, and inflicted great suffering on the civilian population.

41. Various thoughtful solutions had been proposed, and the pragmatic Moroccan initiative provided a solid point of departure for negotiation, within the framework of Security Council resolution 1813 (2008). His delegation favoured dialogue between the parties as the only way to reach a lasting solution to the conflict. In that connection, he welcomed the direct negotiations held at Manhasset in 2007 and 2008 and urged the international community, especially the countries of the subregion, to support the parties in that process. Lastly, he commended the efforts of the Secretary-General and MINURSO towards achieving peace and stability in Western Sahara and throughout the region.

42. **Mr. Cabral** (Guinea-Bissau) said that, as the representative of a country that had fought for its independence, he firmly believed that all peoples had the right to freely choose their political future. However, one party's interests should not take precedence over those of the other party. The Committee must engage in constructive dialogue in order to find lasting solutions acceptable to all, and must not be selective in its efforts to implement the resolutions that provided the framework for negotiation on the question of Western Sahara, namely, Security Council resolutions 1783 (2007), 1754 (2007) and 1813 (2008).

43. Western Sahara was particularly important to Africans; all Africans were to some extent victims of globalization and the scourge of underdevelopment, challenges that must be confronted together. Account must be taken of the progress already made and of constructive proposals for further action. In that regard, he welcomed the innovative solutions proposed by the Secretary-General's Personal Envoy, Peter von Walsum. Through careful deliberation and perseverance, the Committee would fulfil its obligation to reach a consensus on the question of Western Sahara and adopt a resolution that reflected the wide range of views on the issue, and, in so doing, make an important contribution to the peace process.

44. **Mr. Benmihidi** (Algeria) said that Algeria's long struggle for its own independence had led it to stand in solidarity with the right of all other peoples under colonial domination to decide their own future, and had made it champion the cause of justice over the use of force. Referring to Western Sahara, the last bastion of colonialism in Africa, he observed that Algeria had for more than three decades borne witness to the consequences of that Territory's military occupation, and had advocated its people's legitimate right to self-determination in keeping with international law. It had always supported the rapprochement of the two parties, Morocco and the Frente POLISARIO, through direct negotiations, having participated in all the United Nations processes and initiatives to reconcile the Saharawi and Moroccan peoples. The resumption in April 2007 of negotiations on the basis of the respective proposals put forward by the two parties had given rise to a new hope for a just and final solution, especially since Security Council resolution 1754 (2007) which, inter alia, urged them to negotiate frankly and without preconditions, had specifically acknowledged the right to self-determination of the people of Western Sahara. Algeria, anxious to help break the impasse in the peace process for which Morocco had been solely responsible, had agreed to participate as an observer in the ensuing rounds of Manhasset negotiations. It had argued for a fresh definition of the framework for the talks and their agenda, with the mediation of the Personal Envoy of the Secretary-General.

45. Over the course of the talks, the Frente POLISARIO had called for the unrestricted exercise of the right of the Saharawi people to self-determination, without prejudging the outcome, while Morocco had wanted its proposal for autonomy under Moroccan sovereignty validated from the outset as the only basis for negotiations, which obviously meant prejudging the outcome. By so doing, Morocco was once again failing to honour its commitments to cooperate in the implementation of the relevant Security Council and General Assembly resolutions and was giving a unilateral interpretation to the principle of self-determination by refusing to agree to a free and just referendum in which autonomy would be one option among others.

46. For 33 years the Territory of Western Sahara had not been under the rule of law. As the negotiations took their course, it was only fair that the people of the occupied Territory should enjoy adequate international protection from the repression that had been attested to by the independent press and major non-governmental organizations. The wall of silence surrounding the

Territory must be broken, and there must be free access to the Territory and its population by journalists, parliamentarians and humanitarian organizations. Furthermore, the Saharawi refugees living in Algeria's territory should stop being used as political pawns and should receive more humanitarian assistance from the international community.

47. Now more than ever, all should support the negotiating process, and the international community must search for a solution that reconciled rather than opposed international law principles and objective facts like the existence of the Saharawi people.

48. The fifth round of negotiations was being delayed because one of the two parties had not yet approved the designation of a new Special Envoy. Reaching a negotiated settlement would certainly not be an easy task, given the bitterness and complexity of the conflict. It was up to the international community to help to create the necessary climate of confidence by adopting a decision that paved the way for a mutually acceptable solution that comprised the right to self-determination, as it had done in the past.

49. **Mr. Sahel** (Morocco) said that his delegation wished to disassociate itself from the statement delivered by the representative of Kenya on behalf of the African Group at the previous meeting. Once again the Committee was being asked to debate a question which, but for outside interference born of regional rivalries, would have no place on its agenda. He drew attention to a memorandum outlining the history of the conflict that his delegation had just distributed to delegations. He would speak only of recent developments, in the interests of allowing the Committee to reach an objective judgment on the progress made and the continuing obstacles to a settlement of that regional dispute, which was seriously jeopardizing efforts to establish peace, cooperation and solidarity in a Maghreb that would be free of terrorism and able to deal credibly with its regional and international partners.

50. Aimed at breaking the impasse, Morocco's initiative regarding an autonomy statute for the Saharan region — described as credible in Security Council resolution 1754 (2007) — had put forward a new approach based on negotiation, good faith and the will to advance towards a mutually acceptable political settlement. The Moroccan initiative envisaged a form of self-determination and, as underlined in resolution 62/116, all available options for self-determination were valid as long as they were in accordance with the freely expressed wishes of the people concerned. Morocco of course intended, after negotiations, to submit its initiative to the people for approval. It would be recalled that the forward-looking consensus resolution 62/116 had made no reference to any earlier settlement plans, which had all shown their limitations; and that by endorsing resolution 1754 (2007), the General Assembly was now in step with the Security Council as to the true nature of the issue and the means of resolving it.

51. The fresh impetus generated by the Moroccan proposal had led to four rounds of negotiations and three successive Security Council resolutions, all of which had underscored Morocco's serious efforts to end the dispute and the inclusive, democratic and transparent way in which it had elaborated its autonomy initiative in cooperation with national stakeholders and the different components of the population of the Saharan region; and the need for realistic substantive negotiations in a spirit of compromise. Realism had been the touchstone of the Secretary-General's previous Special Envoy, and it had been an approach validated and endorsed by the Secretary-General in his report S/2008/251. The Special Envoy had subsequently presented to the Security Council an assessment of his three years of mediation after four rounds of negotiations, with intellectual honesty and moral integrity; he had concluded that the option of Saharan independence was unrealistic and that insisting on that option as a precondition for negotiations would inevitably lead to an impasse. Following the Special Envoy's statement, the Security Council had adopted resolution 1813 (2008), calling for realism and a spirit of compromise.

52. Under the circumstances, it was difficult to understand the obstructionist attitude of certain parties towards the Special Envoy and why they had begun to denigrate him. By so doing they had deliberately closed the door to a promising possibility of settlement that would have relieved the suffering of the population languishing in the Tindouf camps. He urged the international community to maintain the momentum of the negotiations on the Moroccan initiative and consolidate the progress made. That initiative still offered a real opportunity to close the case once and for all and usher in a spirit of reconciliation, cooperation and solidarity in the

Maghreb. Morocco's sincere readiness to negotiate was, of course, dependent on the readiness of the other parties, especially Algeria, to act constructively and build, with Morocco, a partnership based on the links uniting their two people.

53. **Mr. Shepard** (United Kingdom), speaking in exercise of the right of reply to Cuba's statement, said that his Government's position on the sovereignty of the Falkland Islands (Malvinas) was well known. The United Kingdom had no doubt of its sovereignty over the Islands and there could be no negotiations on sovereignty unless the Islanders so wished.

54. **Mr. Malmierca Diaz** (Cuba) said that his Government had taken a clear position in the sovereignty dispute over the Malvinas Islands (Falklands), and that they were part of the territory of Argentina. Cuba called for just negotiations that would respect both Argentina's territorial integrity and the interests of the Islanders.

The meeting rose at 6 p.m.

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Summary record of the 7th meeting
Held at Headquarters, New York, on Monday, 13 October 2008, at 10 a.m.

Chairman: Mr. Argüello ..... (Argentina)

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08-54658 (E)

The meeting was called to order at 10.20 a.m.

Agenda item 33: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (*continued*)

1. **The Chairman** invited the Committee to take action on draft resolutions and decisions under decolonization and related items.

Draft resolution I on information from Non-Self-Governing Territories (A/63/23, chap. XII)

2. **The Chairman** said that the Secretariat had informed him that draft resolution I had no financial implications.

3. *A recorded vote was taken.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen.

Against:

None.

Abstaining:

France, Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

4. *Draft resolution I was adopted by 147 votes to none, with 4 abstentions.**

5. **Sir John Sawers** (United Kingdom) said that, as in previous years, his delegation had abstained in the vote. While it did not take issue with the main objective of the resolution, which was to seek compliance with Article 73 *e* of the Charter of the United Nations, and would continue to meet its obligations fully in that regard, his delegation believed that the decision as to whether a Non-Self-Governing Territory had reached a level of self-government sufficient to relieve the administering Power of the obligation to transmit information under Article 73 *e* of the Charter fell to the government of the Territory and the administering Power concerned, and not to the General Assembly.

Agenda item 34: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories (*continued*)

Draft resolution II on economic and other activities (A/63/23, chap. XII)

6. **The Chairman** said the Secretariat had informed him that resolution II had no financial implications.

7. *A recorded vote was taken.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chile, China, Colombia, Congo,

* The delegations of Belarus, Kuwait, Montenegro and Uganda subsequently informed the Committee that they had intended to vote in favour of the draft resolution.

Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

France, United Kingdom of Great Britain and Northern Ireland.

8. *Draft resolution II was adopted by 149 votes to 2, with 2 abstentions.**

9. **Mr. Desmoures** (Argentina) said that the applicability of the resolution depended on the applicability of a given Territory's right to self-determination. Various General Assembly resolutions had established that in specific cases, such as those of the Malvinas (in which a sovereignty dispute existed), South Georgia and the South Sandwich Islands, the sole means of ending that special colonial situation was not self-determination, but a negotiated settlement of the dispute over sovereignty. Since those islands and the surrounding maritime areas all formed part of Argentine territory and were currently subject to illegal occupation by the United Kingdom and unilateral exploitation of their natural resources, the resolution just adopted was totally irrelevant.

Agenda item 35: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*)

Draft resolution III on implementation of the Declaration (A/63/23, chap. XII)

10. **The Chairman** said that the Secretariat had informed him that draft resolution III had no financial implications.

11. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Angola, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

* The delegations of Cape Verde, the Central African Republic and Montenegro subsequently informed the Committee that they had intended to vote in favour of the draft resolution.

Against:

None.

Abstaining:

Albania, Andorra, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

12. *Draft resolution III was adopted by 105 votes to none, with 54 abstentions.*

13. **Ms. Lebovits** (France), speaking in explanation of vote on behalf of the European Union, the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey, the stabilization and association process country Albania, and, in addition, Moldova, said that while it supported the efforts of the specialized agencies to assist Non-Self-Governing Territories in educational, humanitarian and technical fields, the European Union considered that the mandates of those institutions must be scrupulously complied with. For that reason it had abstained from the voting on the draft resolution.

14. **Mr. Desmoures** (Argentina) said that the resolution just adopted should be implemented in keeping with the relevant resolutions and decisions of the General Assembly and the Committee.

Agenda item 36: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*)

Draft resolution on offers by Member States of Study and training facilities (A/C.4/63/L.3)

15. *Draft resolution A/C.4/63/L.3 was adopted.*

Agenda item 37: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*)

Draft resolution A/C.4/63/L.4 on the question of Gibraltar

16. *Draft decision A/C.4/63/L.4 was adopted.*

Draft resolution IV on the question of New Caledonia (A/63/23, chap. XII)

17. *Draft resolution IV was adopted.*

Draft resolution V on the question of Tokelau (A/63/23, chap. XII)

18. *Draft resolution V was adopted.*

Draft resolution VI on the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands (A/63/23, chap. XII)

19. **Mr. Ahmad** (Pakistan) noting that the phrase "where there is no dispute over sovereignty", in paragraph 2, had not appeared in earlier such resolutions, proposed that a decision should be postponed pending clarification by the sponsors of the reason for its insertion.

20. **The Chairman** said that, if he heard no objection, he would take it that the Committee wished to postpone a decision until the clarification was provided.

21. *It was so decided.*

Draft resolution VII on the dissemination of information on decolonization (A/63/23, chap. XII)

22. *A recorded vote was taken.*

In favour:

Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's

Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

France.

23. *Draft resolution VII was adopted by 153 votes to 3, with 1 abstention.**

24. **Mr. Desmoures** (Argentina), speaking in explanation of vote, said that the resolution just adopted should be interpreted and implemented in keeping with the pertinent resolutions of the General Assembly and the Special Committee on Decolonization regarding the Malvinas and, in particular, General Assembly resolution 2065 (XX), and all statements by the Committee recognizing the existence of a sovereignty dispute between Argentina and the United Kingdom, and which established that only the resumption of bilateral negotiations could achieve a fair, peaceful and definitive solution, taking into account the interests of the populations of those islands.

25. **Ms. Hill** (United Kingdom) said that her delegation had voted against the draft resolution because it considered that the obligation imposed on the United Nations to publicize information on decolonization constituted an unwarranted drain on the Organization's scarce resources.

Draft resolution VIII on the implementation of the Declaration (A/63/23, chap. XII)

26. *A recorded vote was taken.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian

* The delegation of Andorra subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Belgium, France.

27. *Draft resolution VIII was adopted by 156 votes to 3, with 2 abstentions.*

28. **Mr. Desmoures** (Argentina) recalled that visiting missions proceeded only in cases where no dispute over sovereignty existed, and that the Committee must have a specific mandate from the General Assembly in order for such a mission to take place.

29. **Ms. Hill** (United Kingdom) said that, despite the fact that it had voted against the draft resolution, the United Kingdom was committed to modernizing its relationship with its Overseas Territories, while fully taking into account the views of the peoples in those Territories.

Draft decision on increase in the membership of the Special Committee (A/63/23/Add.1)

30. *The draft decision was adopted.*

Agenda item 28: International cooperation in the peaceful uses of outer space (A/63/20)

Panel discussion on Space Applications and Food Security

31. **The Chairman**, introducing the item, recalled that the Secretary-General had recently identified the global food crisis and climate change as two key challenges facing current and future generations. Over the next 40 years, world food demand would double and water insecurity would increase in all regions, thus the theme of the panel discussion was of fundamental importance. Since there were important interlinkages between food security issues and issues of climate change, health, energy, water and disaster management, the Committee should take a holistic approach and look to a range of tools for solutions.

32. **Mr. Arévalo Yepes** (Colombia) speaking as Chairman of the Committee on the Peaceful Uses of Outer Space (COPUOS) said that the Committee was currently working to apply space technology, such as geo-spatial data, to promote sustainable development and was contributing directly to the thematic work of the Commission on Sustainable Development. Two of its most important achievements were the establishment of the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) and the International Committee on Global Navigation Satellite Systems.

33. Man needed to improve his understanding of meteorology, climate and oceans in order to predict global changes and mitigate their effects. Satellites were used to monitor weather patterns and identify areas susceptible to pest infestation and plant disease; and data from high-resolution remote sensing satellites and global navigation satellite systems was used to develop techniques for identifying areas suffering environmental stress due to drought. Remotely sensed data also provided information on environmental indicators needed to map areas at risk for desertification, soil erosion and excessive salinization.

34. Earth observation had led to the development of instruments to improve the collection, storage, analysis and dissemination of data on food security and many food insecurity studies were based in part on information obtained from remote sensed data.

35. Finally, he said that COPUOS was currently studying ways to improve regional and interregional cooperation, that efforts must be made to include all actors, namely Governments, the scientific community and the user community.

36. **Mr. O'Connor** (Division for Sustainable Development), illustrating his statement with a computerized slide presentation, said that although cereal prices had peaked in May, currently they were twice as high as they had been in 2005. Some 800 million people in developing countries were undernourished and the recent rise in food prices had further swelled that figure. Global food stocks had also fallen sharply, increasing the vulnerability of countries to supply shocks. Governments had reacted to high food and energy prices by increasing food and fuel subsidies or by reducing fuel and food taxes, but such measures represented a drain on State resources. The

urban poor and those already living on less than a dollar a day were the worst affected.

37. The crisis partly reflected the increased demand for meat in emerging economies and the growing demand for biofuels. Trade had long been favoured by the Bretton Woods institutions as a response to food insecurity, however a focus on global efficiency rather than self-sufficiency was not viable in times of crises when food-producing countries imposed export bans. The Washington consensus that the State's role in support of agriculture should be dismantled had made crisis mitigation difficult, and agricultural subsidies in developed countries had made the situation worse for developing countries.

38. One solution would be to ensure that farmers were provided with seed, fertilizer and water, as well as secure market access. It was also necessary to ensure public investment and reverse the declining trend in donor support for agriculture, including through the Consultative Group on International Agricultural Research (CGIAR).

39. Since climate change would further exacerbate the situation, it was imperative to develop crop resilience. In addition, agriculture should be made less dependent on fossil fuels. In the future scramble for land resources, it would be important to ensure that the world's poor were not sidelined. In that connection he noted that, although they were the main agricultural producers in Africa, women's land ownership rights were precarious at best. Finally, he said that it would be vital to restore confidence in food markets by establishing regional buffer stocks.

40. **Mr. Nilsson** (International Institute for Applied Systems Analysis (IIASA)), illustrating his statement with a computerized slide presentation, said that agricultural productivity in developing countries had declined sharply over the past two decades. Not only was the world's population growing but energy demand was expected to double by 2030. Meanwhile, meat consumption was expanding rapidly putting a further strain on production.

41. Public expenditure had not been supportive of agriculture and donor investments had also been declining. To make matters worse, incomplete or unclear property rights had led to land degradation in many parts of the world. Failed price policies, subsidies and export bans had further exacerbated the situation, and the small size of holdings reduced economic efficiency. Other impediments to increased agricultural production included inadequate access to: land, infrastructure, financing, new technologies and international markets. Biofuels had also driven up the price of certain crops. The second generation of biofuels would, however, be manufactured from cellulose fibres, thereby releasing the pressure on agricultural production. Accordingly, steps must be taken to help the poor increase their agricultural productivity. The International Food Policy Research Institute estimated that 14 to 28 billion dollars of agricultural investment were needed in the developing world; other estimates were even higher.

42. It was important to ascertain which population groups faced food insecurity and how best to mitigate adverse trends and shocks. While early warning systems did exist, in many areas many others lacked the remote-sensing infrastructure needed to provide food security alerts. Timely delivery of relevant remotely sensed data to decision makers was also needed. He therefore stressed the need for funding for agriculture-related remote-sensing missions.

43. Finally, he said that over the long term, policy innovations would be required to address a variety of issues including property rights, subsidies, tariffs and trade bans and that reliable spatial earth observation systems would also be needed to monitor interactions with bioenergy, forestry and biochemicals, with a view to ensuring that scarce land resources were properly managed to benefit vulnerable populations.

44. **Mr. Murata** (Food and Agriculture Organization of the United Nations (FAO)) said that FAO had used remote sensing data to develop the "Africa Real Time Environmental Monitoring Information System", which had proved very useful in monitoring rainfall, harvest conditions, drought, locust swarms and food aid requirements in Africa.

45. In the past, planners trying to find suitable sites for growing a particular crop had had to manually reconcile different types of maps and written information in order to get the necessary data. It was now possible to combine remote sensing data with land-based information to provide a wide range of outputs, including three-dimensional views, maps and tables. FAO had used the computer-based Geographic Information System (GIS) to, inter alia, identify potential irrigation areas in Africa and to map Kenya's agricultural zones.

46. Satellite data combined with land-based information could help planners and policymakers in the developing world make a wide range of decisions. FAO would continue working to help solve the food crisis.

47. **Mr. González** (Chile) noted that the world had changed considerably since remote sensing principles had first been adopted and those principles urgently required updating, as they no longer corresponded to political or legal realities and did not meet the needs of developing countries.

48. Noting that important work was being done in the Latin American region, he stressed that interregional dialogue should play a key role in tackling food insecurity. Latin America was ready to engage with other regions on the incorporation of codes of conduct or "soft law", so that scientific issues would be given the necessary legal backing. Chile attached great importance to that topic and was willing to make its work available to all other delegations.

49. **Ms. Blum** (Colombia) noting that the information gained from observation satellites in respect of food security showed that technology alone could not solve the problem, said that she would be grateful if the panellists could comment on international cooperation instruments that might contribute to the establishment of national and regional systems aimed at better using space technology in the area of food security.

50. **Mr. Lichem** (Austria) proposed that the Fourth Committee should, as a general practice, invite other agencies to consider how space technology could be of value in areas that normally did not appear relevant.

51. **Mr. Arévalo Yepes** (Chairman of the Committee on the Peaceful Uses of Outer Space) said that low-income countries did not have the capacity to establish mechanisms to enhance the use of spaced-based technology in confronting climate change and food insecurity. Regional initiatives therefore played an important role, as could be seen in Latin America, Africa and the Asian Pacific.

52. **Mr. O'Connor** (Division for Sustainable Development), replying to the question by the representative of Togo regarding the origin of the severe floods in the West African region, and how long they could be expected to last, referred the representative of Togo to a book published by National Geographic Press entitled "Six Degrees", which described scenarios in which climate patterns were affected by changes in the global average temperature.

53. **Mr. Nilsson** (International Institute for Applied Systems Analysis) noted that, while remote sensing technologies were useful for early warning of flooding, the duration of the flooding in West Africa would depend on the stabilization of greenhouse gases in the atmosphere.

The meeting rose at 1.05 p.m.

United Nations A/C.4/63/SR.8

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Summary record of the 8th meeting
Held at Headquarters, New York, on Tuesday, 14 October 2008, at 10 a.m.

Chairman: Mr. Argüello ..... (Argentina)

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Agenda item 28: International cooperation in the peaceful uses of outer space (*continued*)

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08-54829 (E)

The meeting was called to order at 10.15 a.m.

Agenda item 28: International cooperation in the peaceful uses of outer space (*continued*) (A/63/20)

1. **Mr. Arévalo Yepes** (Colombia), speaking as Chairman of the Committee on the Peaceful Uses of Outer Space (COPUOS) and introducing the Committee's report (A/63/20), said that the coordinated use of space technologies and their applications could be crucial in disaster management and in areas such as climate change, food security and health. COPUOS had regularly sought to increase awareness and build capacities in the use of space technology applications at the international, regional and national levels. Earth observation systems, meteorological satellites, satellite communications and satellite navigation and positioning systems were effective tools in environmental assessment, natural resource management, early warning systems, and the provision of educational and health services in remote areas. Using multifaceted space tools, States could make development decisions about various cross-cutting issues and implement action mandated at the global level.

2. For almost half a century, his Committee had sought to bring the benefits of space technology to all humanity. After the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), the Committee had aligned many of its activities with the Millennium Development Goals. The results had been impressive, as in the case of the establishment of the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) and the International Committee on Global Navigation Satellite Systems (ICG).

3. COPUOS had expanded its agenda for 2009 to include two new items: on space and climate change, and on use of space technology in the United Nations system. Other items in such areas as space and water or international cooperation in the use of space-derived geospatial data for sustainable development or space and society were under consideration; and COPUOS was making more of a contribution to the thematic clusters dealt with by the Commission on Sustainable Development.

4. The Inter-Agency Meeting on Outer Space Activities had restructured its reporting mechanism and strengthened its connection with COPUOS so as to enhance coordination and cooperation among the relevant United Nations bodies. That, together with the Committee's own new related agenda item, would pave the way for mutually beneficial cooperation between the two bodies, and make for stronger Member State participation in the work of the Meeting. The series of open sessions held annually by the Meeting promoted dialogue between Member States and the United Nations bodies using space technology applications.

5. Among the considerable achievements during the previous year by COPUOS and its subsidiary bodies, there had been the adoption of General Assembly resolutions 62/217, endorsing the Space Debris Mitigation Guidelines of the Committee and 62/101, relating to the practice in registering space objects. The Scientific and Technical Subcommittee had begun considering items on space debris and recent developments in global navigation satellite systems, and the Legal Subcommittee had begun considering items on capacity-building in space law and on general exchange of information on relevant national legislation, all of which were of crucial importance.

6. The Working Group of the Whole of the Scientific and Technical Subcommittee was considering the implementation of the recommendations of UNISPACE III; its Working Group on the use of nuclear power sources in outer space was, in partnership with the International Atomic Energy Agency (IAEA) preparing a safety framework for nuclear power source applications in outer space; and its Working Group on near-Earth objects was considering mechanisms for the international handling of threats of collision of asteroids with Earth.

7. The Working Group of the Legal Subcommittee on the status and applications of the five United Nations treaties on outer space had progressed in its work, as had its Working Group on the definition and delimitation of outer space.

8. The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (Outer Space Treaty) of 1967, the landmark legal instrument, still formed — together with the other four core treaties on outer space and the five sets of declarations and principles on outer space activities which COPUOS had been instrumental in formulating — the legal order for current space activities.

9. The Office for Outer Space Affairs had, together with expert educators in space law and the regional centres for space technology education affiliated to the United Nations, begun to develop a curriculum for space law education at the regional centres, which could eventually be used also in universities around the world.

10. In addition, various successful symposia on relevant issues had been organized by COPUOS and its Subcommittees.

11. **Mr. Tarragô** (Brazil), speaking on behalf of the member States of the Southern Common Market (MERCOSUR), the candidate State the Bolivarian Republic of Venezuela and the associated States Bolivia, Chile, Colombia, Ecuador and Peru, observed that international cooperation was essential to ensuring the peaceful use of outer space. MERCOSUR and its associate member States were committed to working within the Space Conference of the Americas to improve regional and interregional cooperation.

12. Space technology had become a vital instrument for the application of the recommendations of the World Summit on Sustainable Development, and a tool for responding adequately to many challenges, including climate change, the food and energy crises and natural disasters. Capacity-building through international cooperation must be a priority. South-South cooperation, could strengthen national and regional capacities and investment and education in outer space science and technology, while ensuring free access to space applications and data.

13. The peaceful use of outer space required a sustained international dialogue and a strengthened international legal regime. Initiatives like the draft treaty recently submitted by China and the Russian Federation to the Conference on Disarmament were therefore welcome. The recommendations of UNISPACE III must continue to be applied. Also encouraging was the improved dialogue between COPUOS and the Commission on Sustainable Development and there should be a general exchange of scientific studies and information on the areas currently under consideration by the Commission. The COPUOS panel on space technology and food security should continue to offer useful opportunities for exchanging experience. Space technology was already being applied in the South American region to agriculture in semi-arid areas.

14. The United Nations Programme on Space Applications should focus on those areas where most of the developing countries could participate and derive benefit. Argentine, Chilean and Brazilian space research institutions would continue to offer training in space technology applications as part of the workshops, training courses, symposiums and expert meetings planned for 2009.

15. UN-SPIDER had proved its worth in disaster prevention and early warning, but it could greatly increase its effectiveness through regular coordination with existing programmes that promoted the use of space-based information.

16. At its Brazil campus, the Regional Centre for Space Science and Technology Education in Latin America and the Caribbean (CRECTEALC) was training professionals from the entire region in flood management and response through the use of new monitoring techniques and the identification of best practices. In cooperation with an Ecuadorian space agency, geoinformation and satellite imaging were being applied to the analysis of catchment areas; and there were plans to offer an advanced degree in remote sensing and geoinformation systems. All countries of the region were invited to work with CRECTEALC.

17. Lastly, the countries and people of the region had enthusiastically welcomed the proclamation of the International Year of Astronomy in 2009, and MERCOSUR hoped that the occasion would be used to promote social inclusion through scientific knowledge.

18. **Mr. Taleb** (Syrian Arab Republic) said he was pleased that, in its report, COPUOS had stressed that local and regional needs and capabilities must be taken into consideration when implementing the recommendations of UNISPACE III. He also welcomed the link that had been established between the Committee's work relating to the implementation of those same recommendations and the work being carried out by the Commission on Sustainable Development. His delegation also saluted the initiative of Chile to hold a workshop on space applications and food security.

19. Greater transparency would strengthen the peaceful and responsible nature of scientific activities in outer space. It was therefore important to increase the involvement of developing countries in the peaceful uses of outer space. On the other hand, the introduction of weapons into outer space could

undermine efforts for its peaceful uses. In that connection, his country had supported a draft treaty on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects, which had been submitted by China and the Russian Federation to the Conference on Disarmament.

20. **Mr. Al Habib** (Islamic Republic of Iran) said that outer space should be kept open to all States for peaceful purposes. His country attached great importance to international cooperation in obtaining optimal benefit from space applications, and supported a closer link between COPUOS and the Commission on Sustainable Development in the thematic areas addressed by the Commission.

21. As a limited natural resource, the geostationary orbit should be fairly and equitably accessible to all countries irrespective of their technical capabilities. Moreover, the international community could more fully benefit from space technology provided that such technology was not diverted to military use. The weaponization of outer space constituted a major threat to all mankind, and its prevention must be fully supported if the peaceful use of outer space was to be promoted.

22. His country conducted its space-related activities on the principles stipulated in the relevant General Assembly resolutions and related international instruments. It had signed and ratified the four major international instruments governing the rescue of astronauts, damage caused by space objects, the use of outer space, and objects launched into outer space, and had recently hosted its first international workshop on space law.

23. The practical application of space sciences and technologies such as remote sensing and earth observation was becoming increasingly crucial for sustainable development, especially in the areas of natural resource management and flood and drought prediction and mitigation. Space-based early warning systems held the potential for preventing or mitigating loss and damage from natural disasters.

24. **Ms. Chen** Peijie (China) called on the international community to work together for a harmonious outer space. A harmonious outer space should first and foremost be peaceful; accordingly States must prevent the militarization of outer space.

25. As the common heritage of humanity as a whole, a harmonious outer space should be a cooperative one; space activities should promote international cooperation. China had been committed to enhancing international cooperation in outer space on the basis of peaceful use, equal and mutual benefit, and common development. It continued to take part in activities organized by the United Nations and to provide robust support for the UN-SPIDER project, for which an office was being prepared in Beijing. China was also committed to promoting space cooperation in the Asia-Pacific region, and maintained bilateral cooperation with a number of countries in the field.

26. A harmonious outer space should also foster development. China shared the view that space activities should facilitate international efforts to promote common development and shared prosperity, and had already made progress in that regard. Images provided by the China-Brazil Earth Resources Satellite launched in 2007 were being used, inter alia, in agricultural production, environmental protection and land and resources surveying. In 2008, China had launched a meteorological satellite for more accurate weather forecasting, along with two micro-satellites for environment and disaster monitoring and resource mapping. Space technology had played a particularly noteworthy role in support of relief efforts following the devastating earthquake in Sichuan. Her delegation thanked all who had provided China with images and other space-related technical assistance.

27. Finally, a harmonious space should be subject to the rule of law. Space activities should abide by existing international treaties on space and States should further improve the legal regime governing outer space, with a view to preventing the weaponization of and arms races in outer space. An international legal instrument to that effect should be negotiated. China and several other States had submitted working papers to the Conference on Disarmament, most recently a draft treaty on preventing the deployment of weapons in outer space, and hoped that substantive discussions of the draft could begin as soon as possible.

28. **Mr. Punkrasin** (Thailand), speaking on behalf of the Association of Southeast Asian Nations (ASEAN), said that the great benefits derived from space technology and applications had been accompanied by enormous challenges. Not all countries enjoyed equal access to space and there was a need to ensure that the

benefits of space science and technology were shared widely among spacefaring and non-spacefaring nations alike.

29. It was also necessary to reaffirm the core principle that space technology and applications should be used for peaceful purposes only. ASEAN commended the substantial progress made by COPUOS in that regard.

30. Reaffirming the Association's strong interest in and support for the UN-SPIDER programme, he encouraged COPUOS to continue reviewing and developing a detailed long-term work and budget plan, as well as to strengthen coordination among UN-SPIDER offices in Vienna, Beijing, Bonn and Geneva. The programme could also be equipped with a mechanism to encourage the participation of and contributions from Member States.

31. ASEAN supported the COPUOS Working Group on the Definition and Delimitation of Outer Space and its efforts to ensure the peaceful use of outer space by non-State actors as well as by States. The operationalization of space technologies through international cooperation was one of the most effective tools for sustainable development, but the associated capacity-building programmes should be customized to respond to the specific needs of the developing world. The Association also expressed its appreciation for the support of its dialogue partners, including Australia, China, the European Union, India and Japan, for the work of its own Subcommittee on Space Technology and Applications in various projects and forums.

32. Speaking as the representative of Thailand, he said that his country would shortly be co-hosting the next United Nations workshop on space law, and invited all Member States to participate. Thailand had just launched THEOS, its first remote-sensing satellite, and stood ready to provide disaster monitoring and mitigation data under United Nations and regional cooperation schemes.

33. **Ms. Lebovits** (France), speaking on behalf of the European Union, the candidate countries the former Yugoslav Republic of Macedonia and Turkey, the stabilization and association process countries Albania, Montenegro and Serbia and, in addition, Armenia, the Republic of Moldova and Ukraine, said that the use of outer space had become crucial for delivery of communications services to the most isolated regions of the world. Outer space could also be used for deployment of tools for forecasting and preventing natural disasters. In that connection, the European Union had supported the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) since its inception.

34. The European Union intended to increase its use of space technologies in order to more accurately measure the phenomena linked to climate change and to mitigate their effects. Integrated space technologies, such as telecommunications, the Global Positioning System (GPS) and Earth observation systems, were important to international development and their use should be emphasized.

35. Aware of the importance of building transparency and confidence in outer space activities, the European Union States had voted unanimously in favour of General Assembly resolutions 62/43 (on transparency and confidence-building measures in outer space activities) and 62/20 (on prevention of an arms race in outer space).

36. The European Union was seeking to develop a non-binding code of conduct for outer space activities which would establish basic rules for States engaged in outer space activities, help to reduce the risk of space collisions and of creation of space debris and strengthen understanding among spacefaring nations.

37. Complementarity between the work of the Conference on Disarmament and COPUOS and communication between those bodies would be essential in order to prevent duplication of effort. In that regard, she said that the term of the Legal Subcommittee could be shortened and suggested that the question should be taken up by COPUOS as part of its future activities.

38. **Ms. Aitimova** (Kazakhstan) said that international cooperation in the use of outer space and the application of space technologies to promote sustainable development was necessary in order to ensure worldwide social and economic progress. Kazakhstan's space infrastructure, including the renowned space launching pad in Baikonur, enabled it to contribute actively to international space activities and to support United Nations efforts in that regard.

39. Kazakhstan participated in various international projects that included the use of space science and technology for the protection of the environment. It

also cooperated with the Russian Federation on space and aviation technology and remote Earth sensing. With the upcoming launch of the KazSat-2 geostationary communications satellite, her country would become one of only 25 nations with two or more satellites in orbit.

40. As one of the world's 10 major producers and exporters of grain, Kazakhstan was prepared to use the latest agricultural technologies, including space applications and tools, in order to deal with the global food crisis. There was an urgent need to increase financing for and the transfer of innovative technologies in order to maximize global agricultural production.

41. Kazakhstan was fully aware of the ramifications of environmental disasters, for the former Semipalatinsk nuclear testing ground was located on its territory. Although the framework for international assistance and cooperation regarding the application of space technology in those regions had already been mandated in several General Assembly resolutions, those resolutions had yet to be fully implemented.

42. **Mr. Anwar** (India) said that the Indian Space Research Organisation (ISRO) had provided remote sensing imagery and support services for post-disaster relief operations in Myanmar, after cyclone Nargis, and in China, after the recent earthquake in Sichuan Province. In addition, the Indian Polar Satellite Launch Vehicle had launched a commercial satellite for an international client. During the coming years, his country intended to give students and scientists from developing countries the opportunity to use Indian launchers.

43. His country had also pursued programmes aimed at deploying space technology in support of tele-education, tele-medicine and delivery of local planning and development information.

44. The upcoming launch of Chandrayaan-1, India's first unmanned scientific mission to the moon, was an example of how scientists from different countries could share their expertise for the benefit of mankind. The space vehicle was expected to carry scientific instruments not only for India but also for the United States, the European Space Agency (ESA) and Bulgaria. ISRO and its Russian counterpart had also signed a joint lunar research and exploration agreement for the development of Chandrayaan-2, which would consist of a lunar orbiter and a vehicle for use on the surface of the moon.

45. ISRO also took a special interest in helping developing countries to build their capacities in the application of space technology. In that connection, the Centre for Space Science and Technology Education in Asia and the Pacific (CSSTEAP), which operated from India, had thus conducted 26 post-graduate programmes and 19 short-term courses and workshops that had benefited scholars from within and outside the region.

46. **Ms. Blum** (Colombia) welcomed the commitment of COPUOS and its Subcommittees to implementing the recommendations of UNISPACE III, including the latter's Plan of Action. Colombia attached high priority to promoting international and regional cooperation for the transfer of knowledge and technologies; in 2007, it had provided training in geospatial technologies to more than 800 students, including 130 from other Latin American countries. The new Colombian Space Commission served to integrate efforts and put space technologies at the service of Colombian society and sustainable development, in line with the Declaration of San Francisco de Quito of 2006. Colombia had also recently signed a treaty with Argentina aimed at developing bilateral cooperation on research and the peaceful uses of outer space. The deployment of arms in space must be avoided as a matter of priority, and to that end communication between COPUOS and the Conference on Disarmament was essential.

47. As the Scientific and Technical Subcommittee had noted, the geostationary orbit was a limited natural resource. Its use should be based on the principle of rational and equitable access of all countries. The needs of developing countries should be taken into account, as should the geographical location of certain countries and the role of the International Telecommunication Union (ITU). The geostationary orbit should not be restricted to commercial uses at the expense of social functions; the coordination established between the Office for Outer Space Affairs and the Department of Economic and Social Affairs (DESA) was therefore welcome. The administrative capacity of the Office for Outer Space Affairs should be strengthened, since it was fundamental to the implementation of the United Nations Programme on Space Applications, which included priority thematic areas important to developing countries and countries in transition. Over the past 50 years, COPUOS had

helped promote better understanding of the interaction between the Earth systems and human development. Further cooperation was essential to achieve sustainable development.

48. **Mr. Hodgkins** (United States of America) commended the work done in the past year by COPUOS and its Subcommittees, with the support of the Office for Outer Space Affairs. In its 50 years of service, COPUOS had acted as a catalyst, promoting international cooperation in space activities and fostering a broad exchange of information among spacefaring and non-spacefaring nations on the latest advances in space exploration and the resulting benefits.

49. The Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space, adopted by the General Assembly in 1963, had produced a legal framework for the orderly use and exploration of outer space that had stood the test of time. Likewise the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, which had established a framework for a prompt and effective international response to space accidents or emergencies had lost none of its relevance.

50. At its most recent session, the Legal Subcommittee had begun work on two new items. The general exchange of information on national legislation relevant to the peaceful exploration and use of outer space would provide insights into how States oversaw their governmental and non-governmental activities in space. Equally encouraging had been the Subcommittee's consideration of its new item on capacity-building in space law. The proposed addition to its agenda of an item on the general exchange of information on national mechanisms relating to space debris mitigation measures was also welcome. The Scientific and Technical Subcommittee had also had another successful session, reaching consensus on a draft safety framework for the use of nuclear power sources in outer space which had been developed with expert input from the International Atomic Energy Agency (IAEA). His delegation welcomed the successful completion of the multi-year workplan on the International Heliophysical Year, a truly international endeavour. The Year had focused worldwide attention on the importance of international cooperation on solar-terrestrial physics research, which was so important to daily lives, the environment and space systems. The addition of a new item on global navigation satellite systems on the Subcommittee's agenda was also welcome. The International Committee on Global Navigation Satellite Systems (ICG) was successfully encouraging compatibility and interoperability among global and regional global navigation satellite systems, promoting their use and integration into infrastructures, particularly in developing countries.

51. The presentation made at the fifty-first session of COPUOS by the representative of the United States National Aeronautics and Space Agency (NASA) had highlighted NASA's achievements over its first five decades, as well as its future plans for space exploration and research. COPUOS had made progress on a number of topics, including the spin-off benefits of space exploration, the need to strengthen the Committee's role in promoting international cooperation in order to preserve outer space for peaceful purposes and the use of space-derived geospatial data for sustainable development. Delegations had been able to share information on efforts to demonstrate to the general public how space activities could enrich their daily lives.

52. **Mr. Lopez-Trigo** (Cuba) said that it was paradoxical that some countries devoted millions of dollars to an arms race in outer space, while others sought to ensure that the common property of mankind was used for nobler ends such as sustainable development and the prevention of natural disasters. The Conference on Disarmament should take the lead in urgently negotiating a multilateral agreement on the prevention of an arms race in outer space. Such an arms race would not only destroy the promising future of space applications; it would also jeopardize their very existence. COPUOS should play a special role in spreading and promoting the peaceful uses of outer space, as well as in improving ethical principles and legal instruments to ensure the peaceful and non-discriminatory use of all space applications.

53. Despite limited resources, Cuba was further developing research into peaceful space applications, including in the field of meteorology. Forecasts based on high resolution satellite images, had helped significantly reduce loss of life during recent hurricanes. Satellite images had also been used to detect forest fires, and to elaborate thematic agricultural maps.

54. Regional and international cooperation must be advanced through exchanges of experience and technology in fields of particular interest to developing countries, such as climate change and food security. Non-discriminatory access was essential for optimum use of the unlimited possibilities that space research and its applications offered.

55. **Mr. Wolfe** (Jamaica) said that the panel discussion held the previous day had highlighted the potential of space applications to help solve problems at the international level, particularly in the area of global food security. The international community should use all means at its disposal to ensure that the food crisis did not balloon into a global epidemic. Jamaica supported efforts to promote the widespread use of space applications in the fields of agriculture and sustainable development, particularly in developing countries.

56. Caribbean countries continued to reap the negative consequences of the growing frequency and intensity of hurricanes. Haiti, Cuba and Jamaica had recently suffered considerable loss of life and damage to infrastructure, and the season was not yet over. In that connection, his delegation welcomed efforts undertaken by COPUOS to further enhance the capabilities of the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER), including through regional workshops. Countries of the region looked forward to using space technologies to strengthen their efforts to combat the disastrous effects of climate change. The collaborative activities planned by the Office for Outer Space Affairs in the area of disaster management, which were in keeping with the Hyogo Framework for Action 2005-2015, were particularly welcome. Space applications, with their potential to contribute to a number of fields, were critical to the future of all developing countries.

57. Finally, his delegation urged all States to desist from any action that could result in the militarization of outer space and endorsed all efforts being undertaken by COPUOS to ensure greater transparency in outer space activities. Space was the common heritage of all mankind and all States, regardless of their size or level of development, should benefit from its potential to positively enhance lives.

58. **Ms. Gash** (Australia) said that her delegation acknowledged the importance of space-related activities and it supported international efforts to address food security. Remote sensing played an increasingly important role in characterizing productivity constraints, identifying interventions that could raise resource efficiency and providing early warning of impending food deficits.

59. Space technologies currently supported a wide range of Australian research activities and other applications relevant to the issue of food security. They included satellite-based observation of atmospheric, land-surface and ocean conditions as input for weather and drought-forecasting tools, use of sensor systems to monitor crop growth, as well as long-term changes in land degradation and vegetative cover resulting from human and/or climate-related impacts. Australia sought to increase the productivity and sustainability of its farming systems as an important contribution to global food supply, including through direct application of remote sensing applications. Research institutions were engaged in a range of international partnerships to that end, with potential for further expansion to assist international development outcomes. Australia also planned to further improve its investment in agricultural research with a view to increasing agricultural productivity. Precision satellite images made it possible to predict changes in crop yields, measure sea surface temperatures and track bush fires, while global positioning systems were enabling further development of precision agriculture which could reduce costs, increase production and improve agricultural sustainability. Space technologies must also be made accessible to developing and least developed countries in order to help them reach their development potential.

The meeting rose at 12.40 p.m.

United Nations A/C.4/63/SR.9

General Assembly
Sixty-third session

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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 9th meeting
Held at Headquarters, New York, on Wednesday, 15 October 2008, at 10 a.m.

Chairman: Mr. Argüello ..... (Argentina)
Later: Mr. Cato ..... (Philippines)

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Agenda item 28: International cooperation in the peaceful uses of outer space (*continued*)

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08-55007 (E)

The meeting was called to order at 10.15 a.m.

Agenda item 28: International cooperation in the peaceful uses of outer space (*continued*) (A/63/20)

1. **Mr. Cato** (Philippines) reaffirmed his delegation's support for the work of the Committee on the Peaceful Uses of Outer Space (COPUOS), particularly its role in promoting access to space technology and development benefits for States lacking active space programmes. The proposed strategic framework for the programme on the peaceful uses of outer space for the period 2010-2011 (A/63/20, para. 280) was also welcome, as were the ongoing discussions within COPUOS of its future role and activities (para. 288). The proposed new items on its agenda, such as the long-term sustainability of space activities, as well as the non-binding code of conduct for outer space activities proposed by the European Union, underscored the continuing relevance of COPUOS. Its ongoing contribution to the work of the Commission on Sustainable Development was also welcome.

2. The United Nations Programme on Space Applications had enabled Philippine scientists to hone their expertise in areas such as remote sensing, Global Navigation Satellite Systems (GNSS) and water-quality monitoring. The United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) was particularly useful to natural disaster-prone countries such as the Philippines, which was affected by an average of 19 cyclones a year. UN-SPIDER would complement domestic efforts to strengthen the forecasting capabilities through the acquisition of modern equipment and land- and space-based technologies, in cooperation with bilateral and regional partners. The Philippines had expressed an interest in hosting a UN-SPIDER regional support office in Manila, a matter currently under discussion with the United Nations Office for Outer Space Affairs in Vienna.

3. In light of extensive explorations of the moon being planned by some States, he wished to appeal to all States to accede to the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies and other relevant international instruments that promoted the peaceful uses of outer space. As part of regional cooperation, the Philippines participated actively in the Asia-Pacific Regional Space Agency Forum and supported the Sentinel-Asia system. At the domestic level, the National Congress on Space Technology Applications and Research assessed national needs, capabilities and limitations in the area of space technology applications with a view to advancing the Millennium Development Goals, as well as those of the Water Sector Development Strategy and the World Summit on the Information Society. Meanwhile, the Philippine Science and Technology Coordinating Council had undertaken feasibility studies for the development of a small Earth observation satellite which would provide real-time data to help mitigate the impact of natural disasters. It would also be of practical use in agriculture, hydrology, forestry and land mapping.

4. **Mr. Kalinin** (Russian Federation) said that the Russian Federation had long advocated a strengthening of the international legal framework for regulating the peaceful uses of outer space. COPUOS made a vital contribution in coordinating international efforts to that end and its capacities should be reinforced. It was vital that outer space be used exclusively for peaceful purposes. Its militarization threatened the security of mankind and was unacceptable. A draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects, submitted by the Russian Federation and China to the Conference on Disarmament, represented a timely and useful initiative that could further international efforts to restrict outer space to peaceful uses.

5. The Russian Federation remained committed to the progressive refinement of space law to reflect current cooperation on space activities. Discussion of the status of ratification of the core United Nations treaties on outer space and of a legally binding instrument that would regulate all activities of mankind in outer space should also continue.

6. **Mr. Kopal** (Czech Republic), speaking in his capacity as Chairman of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space, said that the report (A/63/20) adequately reflected the wide range of issues discussed within COPUOS and its Subcommittees. He fully supported its recommendations and conclusions. The use of nuclear power sources in outer space had been on the agenda of COPUOS for several years, even though the General Assembly, in its resolution 47/68 of 14 December 1992, had provided for a revision of those principles within two years. The establishment of a Joint Expert Group of the Scientific

and Technical Subcommittee and the International Atomic Energy Agency (IAEA) was thus welcome, since it was expected to develop an international, scientifically based framework of goals and recommendations for the safety of nuclear power source applications in outer space. If kept properly abreast of proceedings, the Legal Subcommittee could further its own consideration of the legal aspects of the question.

7. The introduction on the agenda of the Legal Subcommittee of a new item on a general exchange of information on national mechanisms relating to space debris mitigation measures represented a step in the right direction. He also supported the introduction by the Scientific and Technical Subcommittee of a new item on the long-term sustainability of space activities (A/63/20, para. 290), as proposed by France. The European initiative in respect of a code of conduct for outer space should not, however, lose sight of the fact that United Nations space treaties already regulated those activities in a legally binding manner. COPUOS and its Subcommittees should focus instead on increasing the number of ratifications.

8. **Mr. Tsuruga** (Japan) said that the Japanese parliament had recently enacted a basic space law covering: the promotion of international cooperation and diplomacy; industry; improvement of quality of life for citizens; national security; the regulation of space activities; and the establishment of a strategic headquarters for space policy. Japan would continue to pursue its space activities in accordance with the pacifist principles of its constitution. It was ready to cooperate with other partners in the development and use of science and technology, including space activities and applications of data collected by Japanese satellites. A lunar orbiting satellite, KAGUYA, that had been launched in 2007, enabled wider coverage of the moon and would enhance international understanding of its origin and evolution. The KIZUNA satellite project, launched recently, would help bridge the digital divide in Asia and the Pacific, while another mobile satellite project supported refugee management and rescue operations. Real-time information delivery had the potential to provide reliable communications not only in disaster situations, but also in areas lacking switching centres, such as mountains and oceans. Japan also planned to launch a Greenhouse gases Observing Satellite (GOSAT) to contribute to the policy debate for the prevention of global warming. Japan had also successfully docked the first two phases of its experiment module Kibo on the International Space Station and two Japanese astronauts were scheduled for long-duration missions. It was to be hoped that Kibo would be widely used by the international scientific community. Japan's human space exploration programme would not be possible without international cooperation.

9. In 2007, Japan and India had jointly organized the fourteenth session of the Asia-Pacific Regional Space Agency Forum (APRSAF) in Bangalore, India. Concrete steps had been discussed to enhance international cooperation and support the activities of Sentinel-Asia, which aimed to increase the number of Earth-observation satellites. Japan was also engaged in three cooperative missions with other countries (SUZAKU, HINODE and AKARI), which aimed, inter alia, to map the universe by infrared ray. Data from all three satellites had been released to researchers worldwide. Japan also continued to make significant contributions with regard to the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III). The Japan Aerospace Exploration Agency (JAXA) had also developed its own space-debris-mitigation standards and Japan would participate actively in the International Heliophysical Year (IHY). It also provided modern astronomical facilities for educational purposes to developing countries. To ensure that all humanity benefited from space activities, international collaborations must be based on a broad and long-term vision.

10. **Mr. Smith** (Fiji) said that the possibility of the militarization of outer space was of real concern to his delegation for it would undermine the collective effort to exploit the common heritage of all mankind only for peaceful purposes and for the benefit of all States, irrespective of the stage of their economic or scientific development. Under United Nations leadership, those States with major space capabilities must help prevent an arms race in outer space and encourage international cooperation in its exploration and use.

11. The Fourth Committee should promote greater transparency in the space activities of States, strengthen international cooperation, especially with respect to the safety and security of space assets; and build the capacity of developing countries in particular

to use space-based technology and its applications. Significant social and economic benefits could be derived from using timely, high-quality, space-derived geospatial data for sustainable development in areas such as agriculture, deforestation assessment, drought relief, land management and, indeed, the management of fish and marine resources in the Pacific. One of the reasons often cited for the current food crisis was the lack of access to space-based technologies. A remote sensing capacity would be particularly useful.

12. Capacity-building should go hand in hand with the timely provision of universal, non-discriminatory, affordable open data access and open-source software to developing countries. Thus equipped, they would be able to monitor crops from space, analyse vegetation cover, better manage deforestation, improve fertilizer use, weather and meteorological forecasts and pest control, reduce water wastage and contamination and above all undertake environmental risk analysis — all of which would in turn lead to long-term sustainable food security.

13. **Mr. Gebreel** (Libyan Arab Jamahiriya) said that, in line with the recommendations of UNISPACE III, his country constantly sought to make use of space applications in order to better manage its natural resources and further its own development. On the international front, his country, in cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO), had recently completed installation of a modern integrated network for monitoring earthquakes in the Mediterranean region.

14. The Libyan Arab Jamahiriya, in addition to being a party to the 1967 Outer Space Treaty, would soon also become a party to the following international instruments on outer space: the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space; the Convention on International Liability for Damage Caused by Space Objects; and the Convention on Registration of Objects Launched into Outer Space.

15. It was important to create a mechanism that would regulate the conduct and practices of States in outer space. Such a mechanism should be based on existing principles and legal instruments aimed at ensuring that outer space was used exclusively for peaceful purposes. In that connection, his country supported the draft treaty on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects, which had been presented on 12 February 2008 by China and the Russian Federation to the Conference on Disarmament.

16. **Ms. Rodríguez** (Mexico) observed that space science and technology should be used for the general good and for sustainable development, especially in the developing countries. Furthermore, the legal regime governing the use of outer space needed to be developed. All the regional centres for space science and technology education affiliated to the United Nations were basic to strengthening the national and regional capacities of the developing countries. Mexico was currently channelling its work in that area through the Regional Centre for Space Science and Technology Education in Latin America and the Caribbean (CRECTEALC), whose secretariat was situated in the Centre's Mexico campus.

17. Founded more than a decade earlier by Mexico and Brazil, CRECTEALC had flourished owing to the excellent collaboration between the two countries. Mexico and Brazil invited all the Latin American and Caribbean States to take part in the work of the Centre, which had been widely publicized among international space agencies and other regional centres. In addition, the Mexican Senate was currently considering a bill to establish a Mexican space agency, an indication of the importance the country attached to outer space issues. Mexico supported the establishment of a regional space agency.

18. In the current difficult times, Mexico believed that the peaceful use of outer space should focus on international cooperation, especially at the interregional level. It endorsed the direction COPUOS was taking as it aligned its work with the priorities set in the major United Nations meetings and conferences.

19. **Mr. Ng** Chin Huat (Malaysia) said that his Government welcomed the establishment of the International Committee on Global Navigation Satellite Systems (ICG) as a forum for cooperation on matters of mutual interest to its members related to civil satellite-based positioning, navigation, timing and value-added services, compatibility and interoperability of the various satellite systems, and to promote their use to support sustainable development, particularly in developing countries. The Providers Forum that had been established within ICG should enhance the compatibility and interoperability of current and future regional and global navigation satellite systems. Malaysia advocated the strengthening

of international cooperation in disaster management because better early warning systems would prevent loss of life.

20. **Mr. Ahmad** (Pakistan) observed that the application of space technology could help bridge gulfs within societies and between countries and regions and contribute to the achievement of development objectives. The developing countries had to be fully engaged in the process, through sharing of experiences and non-discriminatory, affordable and timely access to state-of-the-art data. Pakistan itself would continue to share its expertise, especially with the developing countries. All States should also have equitable access to the geostationary orbit.

21. The establishment of UN-SPIDER and the International Committee on Global Navigation Satellite Systems demonstrated the international will to implement the recommendations of UNISPACE III. The establishment of an atmospheric data receiving and processing centre in Pakistan by the end of 2008 would further support the UN-SPIDER core activities in which Pakistan had been participating.

22. Pakistan was a party to all five of the core United Nations treaties on outer space. It was deeply concerned over the possible militarization of space. It was also unfortunate that the bulk of space research was intended for military purposes and consequently a threat to security. There must be greater transparency in the space activities undertaken by various States; and those with significant space capabilities had a greater responsibility for preventing the militarization of outer space. While the negotiation of a comprehensive convention would contribute to preventing the weaponization of space, proper implementation of the existing agreements was essential in the interim.

23. The two policymaking bodies, COPUOS and the Conference on Disarmament, should be able to benefit from each other's work through proper channels of communication and coordination. The expertise of COPUOS in the scientific, technical and legal aspects of space issues would be especially useful to the Conference.

24. Pakistan's national space agency, the Pakistan Space and Upper Atmosphere Research Commission (SUPARCO), continued to make progress in projects of national importance, ranging from education to telemedicine, agriculture, irrigation, monitoring of watercourses and floods, national resource management, satellite meteorology and environmental surveying. Pakistan planned to replace its current leased communications satellite with a new one, PAKSAT-1R, by 2011, thus preserving its strategic orbital slot while augmenting the country's telecommunication infrastructure and helping it use satellite communication for socio-economic development. SUPARCO was also developing a remote-sensing satellite system of its own that could be applied to socio-economic development: the first of the series would be an optical imaging satellite to be launched in 2011, providing imagery for applications in agriculture, forestry, water and coastal resource management, mineral exploration, urban planning and national disaster monitoring and surveillance.

25. Because of the priority it gave to regional and international cooperation, Pakistan was working in the field of geo-informatics with countries of the Association of Southeast Asian Nations (ASEAN) and on global aerosol studies with the National Aeronautics and Space Administration (NASA), and it was providing geomagnetic data to various centres in Britain and the United States. His country had a satellite-based search-and-rescue system for use on air, sea and land. Pursuant to General Assembly resolution 62/217, Pakistan planned to launch a space education and awareness programme, to promote the use of space technology and its applications in building a prosperous society.

26. **Mr. Ali** (Sudan) said that, in order for all of mankind to benefit, greater transparency in the exploitation of outer space was required of all spacefaring nations. As one of only a few developing countries endowed with plentiful natural resources, the Sudan supported all efforts aimed at building developing countries' capacities in the peaceful uses of outer space through greater international cooperation and increased training opportunities. In that connection, he hailed the convening of the second African Leadership Conference on Space Science and Technology for Sustainable Development in Pretoria from 2 to 5 October 2008, and looked forward to the third conference, which was scheduled to be held in Algeria in 2009.

27. Developing countries needed to make greater use of remote sensing, Earth observation and early warning systems in order to be able to respond to natural disasters such as flood, drought and desertification. Outer space technology also had important uses in tele-education and telemedicine as well as the management of natural resources. His delegation supported the view expressed by COPUOS members

that the Working Group of the Whole should focus on the implementation of the following actions called for in the Plan of Action: maximizing the benefits of existing space capabilities for disaster management; maximizing the benefits of the use and applications of global navigation satellite systems (GNSS) to support sustainable development; and enhancing capacity-building in space-related activities.

28. He shared the concern of COPUOS that the financial resources available for the United Nations Programme on Space Applications remained limited, that the limited resources available to the United Nations should be focused on activities of the highest priority and that the Programme was a priority activity of the United Nations Office for Outer Space Affairs (UNOOSA). He suggested that, in view of the important services it provided to developing countries, the Programme should be funded from the United Nations programme budget.

29. **Mr. Otepola** (Nigeria) said that his delegation welcomed the report of COPUOS and commended UNOOSA for its efforts in bringing the benefits of space technology to the international community, especially to developing nations. In the context of growing concern over food security, natural disasters, and poverty and hunger, his delegation attached the utmost importance to the view of COPUOS that applications developed through space research could help mitigate the consequences of food scarcity. The Office should work more closely with developed Member States to assist developing countries to build capacity in the deployment of such applications in support of sustainable development. Member States should contribute to the Trust Fund for the United Nations Programme on Space Applications to enhance the capacity of the Office for pilot projects, research and development, especially in developing countries. Doing so would contribute directly to the implementation of the recommendations of UNISPACE III.

30. Many developing countries could not meet the enormous cost of launching satellites into space. However, in order to apply space technology for the development of Africa in the spirit of the New Economic Partnership for Africa's Development (NEPAD), Algeria, Nigeria and South Africa had signed a declaration of intent in June 2008 aimed at using space science and technology for monitoring and management of agriculture, the environment, housing and urban planning, borders, disasters, land use, land cover, water resources and human health. That effort was a direct attempt to ensure sustainable development for those countries and as such deserved the support of the international community.

31. The Office should intensify efforts to ensure that the activities and services of UN-SPIDER were widespread and readily available, especially in times of disaster. Welcoming the opening of regional programme offices in Germany and China, he called for the early establishment of subregional offices to serve as reference points for disaster management and emergency response. He also welcomed the programme of the Office of Outer Space Affairs, which outlined how it would work with the Commission on Sustainable Development for the thematic cluster 2008-2009, including with respect to the role of space in land use and rural development, preventing drought and combating desertification, and achieving sustainable development in Africa. He called on the Office to come up with specific and practical programmes that would contribute to the overall objectives of the Commission and generate a positive impact on the sustainable development aspirations of developing Member States.

32. **Mr. Mana** (Cameroon) said that his delegation welcomed the role of the United Nations Programme on Space Applications in promoting cooperation with Member States at the regional and global levels in support of regional centres for space science and technology education affiliated with the United Nations. The emphasis on international cooperation in space weather forecasting and the use of remote sensing would contribute enormously to boosting food security in Africa. The benefits of space technology were also clear in the areas of disaster management and search and rescue operations. Accordingly, he welcomed the decision of COPUOS to consider a report on the activities of the International Satellite System for Search and Rescue (COSPAS-SARSAT) annually and hailed the progress made in the implementation of the 10-year Implementation Plan of the Global Earth Observation System of Systems (GEOSS). The GEOSS System had become more indispensable than ever in view of the worsening food and energy crises as well as of continuing or emerging pandemics. Finally, his delegation welcomed the progress made in the UN-SPIDER programme, and thanked all the countries that had provided generous extrabudgetary resources in support of that programme, as well as those that had announced additional contributions to it.

The meeting rose at 11.45 a.m.

United Nations A/C.4/63/SR.10

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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 10th meeting
Held at Headquarters, New York, on Thursday, 16 October 2008, at 10 a.m.

Chairman:	Mr. Argüello	(Argentina)
later:	Mr. Cujba (Vice-Chairman)	(Republic of Moldova)
later:	Mr. Argüello	(Argentina)

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Agenda item 27: Effects of atomic radiation

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08-55301 (E)

The meeting was called to order at 10.10 a.m.

Agenda item 27: Effects of atomic radiation (A/63/46)

1. **Mr. Crick** (Secretary of the United Nations Scientific Committee on the Effects of Atomic Radiation), introducing the Committee's report (A/63/46) and accompanying his statement with a computerized slide presentation, recalled that the Committee's mandate was to assess the levels, effects and risks of ionizing radiation, identify emerging issues and increase knowledge on ionizing radiation. The Committee had 21 member States and a further six had expressed the desire to join. The Committee's recommendations on protection against radiation were taken up by international organizations responsible for setting standards. Those standards were adopted by Member States and subsequently formed the basis for international conventions and standards.

2. During its fifty-sixth session, the Committee had approved for publication five scientific annexes on medical radiation exposures, radiation exposures of the general public and workers, exposures in accidents, an update on the assessment of the Chernobyl accident and the effects of ionizing radiation on non-human biota. In addition, members had considered the Committee's strategic plan and programme of work and, in response to the request of the General Assembly contained in its resolution 62/100, had provided views on staffing, funding and membership.

3. Humans were exposed to ionizing radiation from natural cosmic and terrestrial sources and from artificial sources. Medical diagnosis was, by far, the largest source of artificial exposure. Since the Committee's previous survey, covering the period 1991 to 1996, diagnostic medical examinations were estimated to have increased by nearly 50 per cent.

4. Computerized tomography (CT) scanning accounted for a large proportion of that increase. The typical dose of radiation from one CT scan, approximately 10 millisieverts (mSv), was not very high. However, repeated exposure, particularly of young children, to such doses was a cause for concern.

5. In respect of occupational exposure, he said that, in the past, attention had been focused on artificial sources of radiation. It was now realized that a very large number of workers were exposed occupationally to natural sources of radiation as well. In fact, the number of persons who were exposed to enhanced levels of natural radiation was greater than the number exposed to artificial sources. In particular, coal miners and workers in other extractive industries, aircraft crew and persons exposed to radon in the workplace received higher doses of natural radiation.

6. Radiation exposures from accidents had been discussed in past reports and there had been specific evaluations of the 1986 Chernobyl accident, which had caused particularly serious disruption, as outlined in paragraphs 71 and 72. As of the release of the report, more than 6,000 cases of thyroid cancer had been reported among persons who had been children or adolescents in 1986 in affected areas. A substantial portion of those cases could be attributed to drinking milk that had been contaminated with iodine-131.

7. Although a considerable volume of new research data had become available, the Committee had concluded that, other than previously documented effects, there had been no consistent evidence to date of any other health effects among the general public that could be attributed to radiation exposure as a result of the Chernobyl accident. That was essentially consistent with the conclusions contained in the 1988 and 2000 reports regarding the scale and nature of the health consequences of the Chernobyl accident.

8. After drawing attention to the strategic objectives, thematic priorities and programme of work outlined in paragraphs 8-12 of the report, he noted that over the years, data and specialized scientific literature had increased dramatically in volume, leading the Committee to produce increasingly complex reports. Consequently, it had become difficult for the Secretary, the sole professional in the Committee's secretariat, to cover all of the relevant scientific specialities. The situation had led to significant delays in the production of the Committee's reports and it had created an increased risk for error — something that could fundamentally damage the Committee's reputation.

9. In a soon-to-be released report, the Secretary-General was expected to announce that the Committee's financial resources had been increased for the 2008-2009 biennium and that, in order to increase the Committee's membership by six States, the sum of $90,000 per biennium would have to be budgeted and an additional post of scientific officer at the P-4 level added.

10. Finally, he said that, during its fifty-sixth session, the Scientific Committee had expressed concern that

any increase in its size could have a detrimental effect on the quality and efficiency of its work and it had therefore suggested that the number of members should remain unchanged. Other possible solutions to the question of membership would be to replace existing members or to designate some States as permanent members and others as rotating members on the basis of evaluative criteria.

11. *Mr. Cuiba (Republic of Moldova), Vice-Chairman, took the Chair.*

12. **Mr. Bowman** (Canada), speaking in his capacity as Chairman of the Scientific Committee said that the Committee had recently approved the publication of five authoritative annexes on exposures from radiation accidents: exposures of the public and workers from various sources of radiation; medical radiation exposures; health effects due to radiation from the Chernobyl accident; and effects of ionizing radiation on non-human biota. Such assessments served as a vital tool, enabling Governments and organizations to evaluate radiation risks and establish radiation protection and safety standards.

13. Noting that, in a forthcoming report the Secretary-General was expected to recommend that a second professional secretariat post be allocated for the Committee and an additional $90,000 allocated for the biennium in order to ensure the Committee's effectiveness, he said that his Government agreed with those recommendations. It would be worth consulting Committee representatives and secretariat on objective criteria and modalities that might be applied to evaluate the potential contribution of additional Member States. The resource issue must, however, be addressed first to ensure that the Committee's programme of work did not stagnate. It was to be hoped that the six Member States that had been invited as observers to the Scientific Committee at its fifty-sixth session would also be able to attend the fifty-seventh session.

14. **Ms. Pessôa** (Brazil), speaking on behalf of the member States of the Southern Common Market (MERCOSUR), the candidate country the Bolivarian Republic of Venezuela and the associated countries Bolivia, Chile, Colombia, Ecuador and Peru, observed that the report outlined in rigorous scientific detail the global levels of exposure to ionizing radiation. It was interesting that the main sources of exposure were still the natural sources of radiation, whose concentrations could vary by several orders of magnitude from one location to another.

15. Also noteworthy were the Special Committee's assessments on the impact of exposure to nuclear energy: while the generation of electrical energy by nuclear power plants had grown steadily, the doses to which the public was exposed were generally small, and had decreased over time because of lower discharge levels, and the exposure of workers to radiation in commercial nuclear power plants had been falling steadily over the past three decades, whereas occupational exposure to natural sources of radiation had remained constant.

16. The Scientific Committee had also confirmed the conclusions of its 1996 report that environmental radiation levels to which non-human biota were exposed were unlikely to have significant effects, thus underscoring the fact that human safety standards also protected flora and fauna.

17. Furthermore, it had confirmed that although the Chernobyl accident had been the most severe in the history of civilian nuclear power, there was still no firm evidence of any substantial health effects in the general population attributable to radiation, accept for the known incidence of thyroid cancer in children.

18. Medical exposure to radiation remained by far the largest source of exposure, and was increasing especially in countries with the most advanced and comprehensive medical care. Action was clearly needed to provide greater protection against radiation for patients needing radio-diagnostic or radio-therapeutic treatments.

19. It was troubling to learn that local populations continued to be exposed to radiation resulting from military activities by the nuclear-weapon States. There were not only the residual effects of the past atomic bomb tests, but the installations where nuclear weapons had been produced had released long-lived radiation.

20. A new and welcome feature of the report was the strategic plan and programme of work it presented. The MERCOSUR countries endorsed the future thematic priorities set out, and agreed that the Scientific Committee should initiate work immediately on assessments of levels of radiation from energy production and the effects on human health and the environment. However, in response to paragraph 6 of

General Assembly resolution 62/100, the Committee should produce a report as soon as possible on the impact of the uncertainty in radiation risk estimation and the attributability of health effects to radiation exposure.

21. **Ms. Lebovits** (France), speaking on behalf of the European Union; the candidate countries the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina and Montenegro; and, in addition, Armenia, Liechtenstein and Moldova, welcomed the report of the Scientific Committee noting that its assessments of the effects of radiation on human health and the environment remained vital to understanding of radiation exposure at the international and regional levels. Medical exposure to radiation, currently the largest source of artificial radiation exposure, must be an international priority with respect to radiation protection.

22. The European Union commended the strategic plan and programme of work outlined in the report. The decision to focus on increasing awareness among authorities, the scientific community and civil society with regard to levels of ionizing radiation and its effects would further strengthen the Committee's reputation. The definition of thematic priorities should proceed logically from work accomplished to date. The European Union fully supported the strategic shifts envisaged, further showed the Committee's determination to deepen knowledge while improving vital cooperation and information exchange with international organizations and other stakeholders.

23. The Scientific Committee provided the international community with essential, independent information on many common areas of interest with regard to the effects of ionizing radiation. However, despite the increased interest in its work and growing concerns about radiation protection, the Scientific Committee's resources had not seen a commensurate increase. The delays in the publication of its findings were potentially damaging, since many countries were increasingly keen to develop peaceful uses of nuclear energy. The medical use of radiation was also rising sharply and access to data of the kind only the Scientific Committee could provide was essential for risk assessment purposes. The European Union thus called for a comprehensive discussion of how the Scientific Committee's annual budget and scientific team might be strengthened and how its scope might be adapted to meet budgetary constraints and achieve greater efficiency. The Secretary-General should address the resource issue as a matter of priority so that the question of increased membership might be examined. The option of multinational delegations should also be explored.

24. **Mr. López-Trigo** (Cuba) reiterated his delegation's firm commitment to the prohibition and elimination of nuclear weapons and its total opposition to the use of nuclear energy for military purposes, adding that it attached great importance to the work of the Scientific Committee as a source of specialized and objective information on the issues within its competence.

25. Despite its modest resources, his Government had provided significant cooperation assistance to the people of Ukraine, by means of a rehabilitation programme for the victims of the Chernobyl nuclear accident. Sixteen years running, the programme had treated thousands of patients, most of them children. The programme had also yielded primary data on internal contamination in infants from areas affected by the accident. That information had been disseminated in leading scientific forums and used by such United Nations bodies as the International Atomic Energy Agency and the Scientific Committee itself.

26. Reiterating that the request by six member States for membership of the Scientific Committee should be considered as soon as possible, his delegation expressed regret that the report of the Secretary-General on the financial and administrative implications of increased membership in the Scientific Committee had yet to be officially published.

27. **Mr. Taleb** (Syrian Arab Republic) said his country's policy on nuclear technology was founded on the belief that all States, without exception, should be allowed to use such technology for peaceful purposes. His delegation was therefore concerned that non-proliferation was being used as a pretext to hinder developing States from acquiring nuclear technology for peaceful purposes.

28. His delegation had always called for the elimination of nuclear weapons stockpiles and had been one of the first to call for the establishment in the Middle East of a zone free of weapons of mass destruction, including, foremost, nuclear weapons. In 2003, it had sponsored a draft resolution in the Security Council on the establishment of such a zone.

Furthermore, his country had become a party to the Treaty on the Non-Proliferation of Nuclear Weapons in 1969 and had concluded a safeguards agreement with the International Atomic Energy Agency (IAEA).

29. Israel was the only State that possessed nuclear weapons without international supervision. Its refusal to accede to the Non-Proliferation Treaty and implement IAEA safeguards jeopardized regional and global security and peace and portended an environmental disaster on the scale of Chernobyl. The community of nations should put pressure on Israel to place all eight of its nuclear facilities under IAEA supervision, in accordance with Security Council resolution 487 (1981).

30. The burial of nuclear waste in the territories of developing countries and in the high seas posed a serious environmental risk of ionizing radiation. International silence in the face of the continued burial by Israel of such waste in the occupied Syrian Golan cast doubts on the commitment to non-proliferation and the relevant international agreements.

31. **Mr. Singh** (India) said that the work of the Scientific Committee had considerable implications for the health of thousands of occupational workers, people undergoing radiation-based medical procedures, people living in areas of the world with high natural background radiation and the general public, and for the protection of the environment. Its strategic plan for 2009-2013 would heighten awareness among civil society and the scientific community; the thematic priorities, in particular those relating to exposure to natural sources of radiation and improved understanding of the effects from low-dose-rate radiation exposure were also welcome. Publication of the scientific annexes to its reports was long overdue, especially considering that some Member States and organizations relied on them for information. It was heartening that more Member States wished to join the Scientific Committee, however the administrative and financial implications must be taken into account and adequate resources provided.

32. In several countries, per capita exposure to medical radiation now exceeded natural background radiation. All Member States should thus be encouraged to maintain good records of patient and attendee exposure and adopt requisite regulations. It was also important to assess the biological and health effects of natural radiation exposure. The linear no-threshold concept of radiation dose response, which had been the cornerstone of international regulation of radiation exposure limits, should be reviewed, since non-radiation sources, such as smoking and diet, could also trigger health effects. Non-cancer effects such as congenital malformations, in utero and cardiovascular effects should also be analysed when determining exposure limits.

33. *Mr. Argüello (Argentina) resumed the Chair.*

34. **Ms. Gatehouse** (Australia) said that her delegation appreciated the assistance of the United Nations Environment Programme (UNEP) in addressing the Committee's funding issues, and welcomed the establishment of a UNEP general trust fund for voluntary contributions to support its work, to which her Government had contributed.

35. The Scientific Committee had a low profile compared to other United Nations bodies, but performed a critical task. Its unique work had provided the scientific basis for establishing international standards for the protection of the public and of workers against ionizing radiation, and the standards were linked to important legal and regulatory instruments for the protection of the population. As a result of the Committee's work, more was probably known about the effects of ionizing radiation than about many other pollutants, such as chemical and biological pollutants.

36. The Scientific Committee's work was more vital than ever. The report showed that the worldwide exposures from man-made sources had doubled in the past 15 years, and that the main current issue was the risks due to developing technologies in diagnostic medicine, responsible for exposures a thousand times higher than those from the nuclear fuel cycle. At the same time, however, the radiological impact of the various activities associated with the nuclear fuel cycle had to be better understood, given the interest, in some countries, in expanding nuclear power at a time of climate change. The Scientific Committee was essential to an objective scientific assessment of the methods of nuclear power production.

37. Compared to the hundreds of billions of dollars that could be wasted without a sound understanding of the effects of ionizing radiation, the modest funding provided to the Scientific Committee of approximately $1 million per year seemed inadequate. With the expansion of scientific knowledge and literature across a wide variety of scientific disciplines, it was no longer

possible to continue with just one scientific Secretary to cover all the work comprehensively. As a minimum, the Scientific Committee's secretariat should comprise one scientist from the physical sciences and one from the biological sciences, to review and edit the reports of consultants for consideration by the Committee's working groups.

38. The matter of the understaffing of the Scientific Committee should be addressed before considering whether to increase its membership, and the observer States should keep their current status for the time being, until the funding issues were resolved. It was disappointing that the Secretary-General's report on financial and administrative implications of increased Scientific Committee membership had yet to be issued. The sole criteria for membership in the Scientific Committee should be knowledge of a broad range of issues in the field of radiation levels and effects; the ability to compile, prepare and evaluate scientific reports; and the ability to summarize the material for the General Assembly, the scientific community and the public.

39. **Mr. Muller** (Marshall Islands) said that he would speak about the tragic consequences of policy decisions made on the basis of incomplete science. Both the United Nations and the former Administering Authority of the Marshall Islands, the United States, bore responsibility for the effects of atomic radiation in his country. From 1948 to 1958, while it was a Trust Territory, 67 large-scale atmospheric nuclear weapons had been tested there, with the explicit approval of the Trusteeship Council. During those tests, Marshallese children played in the radioactive fallout, believing it was falling snow. Declassified documents had revealed that some of the communities exposed were the subject of deliberate medical testing. His people had suffered years of displacement, devastating disease and death. There had been a widespread environmental impact from the nuclear contamination, which still persisted. Later resettlement efforts in contaminated areas, made without a full understanding of the effects of contamination, had created a new generation of tragic challenges, and some communities still lived in a nuclear exile.

40. For the people of the Marshall Islands, the effects of atomic radiation were not just a historic occurrence but a contemporary and future legacy. The true impact of the weapons tests — regularly reported to the United Nations — upon its people, culture and environment was beyond description. Yet there had been no response from the international community, apart from two Trusteeship Council resolutions, one in 1954 and one in 1956, assuring that urgent steps would be taken to compensate the Marshallese and return them to their homeland. Although the United States had special accountability in the matter, all Member States had been entrusted with the stewardship of the Marshall Islands and thus shared in the fiduciary responsibility for nuclear testing there.

41. Some important action had been taken. The Compact of Free Association with the United States had resulted in a mutually beneficial relationship under which some of the impact of the radiation had been addressed. A bill currently before the United States Senate would provide funding to address some of the unmet needs, relating to health effects of radiation and the monitoring of waste disposal. However, adequate compensation for actual losses or for future effects of residual low-level exposure — about which there had been no scientific knowledge at the time of the signing of the Compact with the United States — had yet to be received. A political settlement based upon incomplete scientific understanding did not fulfil Trusteeship Council resolutions 1082 (XIV) and 1493 (XVII). The nuclear claims tribunal established under the Compact for final determination of all claims had fairly adjudicated the claims for injury, health impact and loss of land but had been given funding for only a small fraction of the adjudicated damages, which totalled hundreds of millions of dollars.

42. Regarding the health impact, the Marshall Islands needed not only monitoring of the affected population but a more comprehensive medical care strategy and infrastructure to treat both survivors and subsequent generations.

43. His Government was also concerned about the residual impact and proper maintenance of a 30-year-old concrete storage dome containing nuclear waste material. At the time, the Administering Authority had questioned the need for absolute structural integrity, and short cuts might have been taken during its design and construction. The Marshall Islands had neither the financial resources nor the technical expertise to undertake long-term stewardship of it.

44. While there had been some environmental remediation, certain areas in the Marshall Islands continued to be deemed unfit for permanent resettlement. At the latest Pacific Islands Forum, the Pacific leaders

had recognized that the Marshall Islands must be adequately compensated for losses and obtain the full commitment of the United States to an adequate response to the effects of its nuclear testing. The ongoing struggle of the Marshallese people was clearly an argument for providing greater support to the Scientific Committee in its analysis of the effects of nuclear testing.

45. **Mr.** Maung **Wai** (Myanmar) said that the work of the Scientific Committee was valued both by Governments and the scientific community, and its recommendations informed decision-making on radiation-related issues. The International Labour Organization and the Food and Agriculture Organization of the United Nations had used its data in the formulation of international safety standards and protection programmes.

46. The consequences of the Chernobyl disaster had underscored the potentially devastating effects of atomic radiation on human health and the environment. The Scientific Committee's work had been of use to the populations concerned, as well as to Governments formulating policies on radiation issues. It was important to ensure that the Scientific Committee had the support and resources that it needed, to reflect its increased workload, else it could not function effectively on a sustainable basis. The general trust fund established by UNEP would be a useful alternative source of funding. The Scientific Committee's staffing problem should also be addressed.

47. **Mr. Kharatinsky** (Ukraine) said that his delegation attached particular importance to the issue of the effects of atomic radiation and therefore to the activities of the Scientific Committee, whose findings and proposals were used by international actors in formulating international standards and instruments for the protection of human beings and the environment against ionizing radiation. He noted with appreciation that the Scientific Committee had undertaken a broad review of the sources of ionizing radiation and of its effects on human health and the environment.

48. Given its interest in the result-oriented work of the Scientific Committee, his Government was ready to share with the Scientific Committee the unique scientific and practical experience it had amassed in dealing with the effects of atomic radiation.

49. While noting that Ukraine had been able to participate as an observer at the Scientific Committee's previous session, he said that its observer status had limited its ability to receive relevant reports and information from the Secretariat, let alone participate in decision-making. After calling upon UNEP to strengthen the Scientific Committee's financing mechanisms, he said that, should financial constraints render membership expansion impossible at the current time, his delegation nonetheless wished to express its desire to attend the next session as an observer and to have that desire reflected in the relevant General Assembly resolution. Furthermore, Ukrainian experts should also be involved in the Scientific Committee's intersessional work.

50. Noting with appreciation that the Scientific Committee had developed a strategic plan for the period 2009 to 2013, he expressed satisfaction with its efforts to provide an authoritative review of the health effects of exposure to radiation on the general public, workers and non-human biota.

51. Turning to the Chernobyl-related aspects of the Scientific Committee's work, he pointed out that the collective dose of radiation from the Chernobyl accident was many times greater than the combined dose from all other accidents resulting in public exposure.

52. Pursuant to General Assembly resolution 62/9 and in keeping with the recommendations of the Chernobyl Forum, the United Nations Coordinator of International Cooperation on Chernobyl, in cooperation with the Governments of Ukraine, Belarus and the Russian Federation, had continued to study the health, environmental and socio-economic consequences of the Chernobyl accident. On the basis of new research data resulting from that cooperation, the Scientific Committee had concluded that exposure to high levels of radiation had proven fatal to plant staff and emergency workers in the first few months after the accident. It had also found a higher incidence of leukaemia and cataracts and an increased risk of radiation-induced effects among persons exposed to the Chernobyl accident.

53. Since the accident, initiatives to better understand and mitigate its consequences had been launched by such international entities as the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the International Atomic Energy Agency.

54. **Mr. Ahmad** (Pakistan) said that his delegation attached great importance to the Scientific

Committee's contribution to promoting a broader knowledge and understanding of the levels of ionizing radiation and their effects on human beings and the environment. Expanding its membership would constitute a step towards increasing international cooperation in the field of radiation protection. To that end, his Government looked forward to contributing its considerable capacity and expertise to the Scientific Committee's work.

55. Given the importance of the latter's activities, he hoped that any lingering problems with funding and staffing of its secretariat would be addressed immediately. Neither the Scientific Committee's mandate nor the question of expansion of its membership should be affected by financial and administrative issues.

56. **Ms. Lintonen** (Finland) said that she hoped that the resources and budgetary deficits of the Scientific Committee's secretariat would be addressed urgently, so as to make it possible for Finland to become a full member of the Committee.

57. Both natural and man-made sources of ionizing radiation were hazardous to human health. Exposure to natural radiation was to some extent unavoidable, while medical use of radiation was an indispensable part of modern health care. Her country had been among the first to discover that radon in drinking water and indoor air was a major contributor to exposure of citizens to ionizing radiation, as the rate of exposure of Finns to radon was one of the highest in the world.

58. In the early 1960s, reports from Lapland had revealed that reindeer herders had been exposed to fallout from atmospheric nuclear tests via the food chain; that observation had led to the banning of atmospheric nuclear tests.

59. The exposure of workers, and to a lesser extent, of the public, to low levels of radiation from nuclear energy production and other heavily regulated industrial uses of ionizing radiation had become an integral part of industrialized society. His Government was committed to continuing to research the risks posed by radiation.

60. **Mr. Mishkorudny** (Belarus) said that although 20 years had passed since the disaster at the Chernobyl nuclear power plant, hundreds of thousands of people continued to be affected by atomic radiation. Belarus highly valued the positive aspects of the peaceful use of atomic energy in various spheres, including sustainable energy, medicine and agriculture. In 2007, it had decided to build a new nuclear power plant and a special department on nuclear and radiation safety had been established for that purpose. Belarus complied with the radiation protection standards elaborated by the International Atomic Energy Agency (IAEA) and the International Commission on Radiological Protection.

61. Belarusian scientists were regularly invited to participate in sessions of the Scientific Committee, as the primary international body studying the effects of atomic radiation. Noting that the report of the Secretary-General addressing the financial and administrative implications of increased membership and staffing of the Scientific Committee's secretariat had only just been issued, he said that his delegation reserved the right to return to the issue once it had studied the report.

62. **Mr. Tsuruga** (Japan) said that the work of the Scientific Committee had provided a global scientific standard for evaluating radiation risk and establishing radiation protection and safety standards. In order to mark the publication of reports approved at the fifty-fourth and fifty-sixth sessions of the Scientific Committee, his Government was planning shortly to hold a symposium on the role of the Scientific Committee in the age of the new atomic energy use.

63. The Scientific Committee must continue to study the effects of radiation, so as to ensure the safety and security of human beings and the environment, as well as to promote public health in the use of radiation for medical purposes. His delegation therefore believed that UNEP should review and strengthen the current funding of the Scientific Committee, in addition to considering a voluntary, temporary mechanism to complement existing ones.

64. Before discussing the possibility of expanding the membership of the Scientific Committee, necessary qualifications for membership must be clarified, and the financial and administrative implications of increased membership must be evaluated. In that connection, his delegation looked forward to reading the report of the Secretary-General on the subject.

The meeting rose at 12.18 p.m.

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Summary record of the first* part of the 11th meeting
Held at Headquarters, New York, on Friday, 17 October 2008, at 3 p.m.

Chairman: Mr. Argüello ..... (Argentina)

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Agenda item 37: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*)

* The summary record of the second part of the meeting, held on Monday, 20 October 2008, appears as document A/C.4/63/SR.11/Add.1.

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08-55531 (E)

The meeting was called to order at 3.10 p.m.

Agenda item 37: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*)

Draft resolution VI on the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands (A/62/23, chap. XII; A/C.4/63/L.6)

1. **The Chairman** invited the Committee to take action on the draft resolution.

2. **Sir John Sawers** (United Kingdom), comparing draft resolution VI with the text on the same subject adopted the previous year, said that, part A, paragraph 2, contained new language which qualified the principle of self-determination on issues of decolonization in a way that caused grave concerns. He therefore proposed that the words "and where there is no dispute over sovereignty" should be deleted. Self-determination was a fundamental principle enshrined in the Charter of the United Nations and in international law. Its codification as a principle of international affairs dated from the early twentieth century. Although the Charter did not elaborate on the principle, or how it should be enacted, that had been done through various other international instruments, including General Assembly resolutions 1514 (XV), 1541 (XV), and 2625 (XXV). The principle was also reflected in international practice and jurisprudence. None of the legal instruments, resolutions or judgments in question indicated that the right of self-determination was not applicable in instances where there was a dispute over sovereignty. In some cases, they had even given primacy to the right of self-determination over other international legal principles. At the very least, therefore, the Committee should be asking why an attempt was being made to restrict and qualify that right, and why it was being made in the resolution under discussion. The language was not even relevant to the resolution, since there were no sovereignty disputes in any of the Territories in question. It seemed that an attempt was being made to surreptitiously introduce that language, with a view to gradually broadening the restriction to other disputes.

3. The Committee was aware that there were sovereignty issues at stake with regard to Gibraltar and the Falkland Islands. His Government's position on those two Territories was clear, and practical matters were being addressed bilaterally with Spain and Argentina. A move now by the Committee to introduce a restriction to the principle of self-determination could have wider ramifications, including for the people of Western Sahara, or for the Palestinian people's right to self-determination, should Israel claim sovereignty in the West Bank and Gaza. Any move to qualify the principle of self-determination would bring uncertainty elsewhere.

4. The letter from the Chairman of the Special Committee on decolonization clarified that body's procedures, but did not address the substantive issues at stake. It was entirely appropriate for the Fourth Committee to raise concerns about a draft resolution proposed by one of its subsidiary bodies. The Committee took its own decisions, but remained open to discussing its consensus with the Special Committee.

5. **Mr. Natalegawa** (Indonesia), speaking in his capacity as Chairman of the Special Committee on decolonization, said that the draft resolution had been discussed intensively in informal consultations and endorsed by consensus. Throughout the process, the Special Committee had maintained an open approach and had frequently called on the administering Powers to participate in the consultation process on the different draft resolutions before it. Unfortunately, such participation had not met expectations in the case of some administering Powers.

6. The report of the Special Committee had been available since 30 June 2008; any concerns could have been brought to the Special Committee's attention at any time. None had been received.

7. In the course of adopting its report, the Special Committee had strictly followed existing procedure. The content of the paragraph in question had been carefully discussed during that process, and was consistent with many resolutions previously adopted by the General Assembly and the Special Committee, as well as with the final documents of various regional seminars on decolonization. Accordingly, he expressed the hope that the draft resolution would obtain the consensus support of the Fourth Committee.

8. **Ms. de Montlaur** (France) said that her delegation supported the amendment proposed by the United Kingdom, and would like the Committee to

return to a text which would allow for adoption by consensus.

9. **Mr. Tarragô** (Brazil), speaking on behalf of the member States of the Southern Common Market (MERCOSUR), the candidate country the Bolivarian Republic of Venezuela and the associated countries Bolivia, Chile, Colombia, Ecuador and Peru, said that the draft resolution reaffirmed that in the process of decolonization and where there was no dispute over sovereignty, there was no alternative to the principle of self-determination. The proposed amendment contained in document A/C.4/63/L.6 recognized the existence of special and particular colonial situations which involved sovereignty disputes expressly recognized by the General Assembly and the Special Committee on decolonization, disputes which States were urged to resolve peacefully through negotiation. The general principle of self-determination of peoples did not apply in special and particular situations involving sovereignty disputes. Indeed, General Assembly resolution 1514 (XV) specified that "any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations".

10. For those reasons, the States Parties of MERCOSUR and the associated States took the view that the Committee should honour the consensus achieved by the Special Committee on decolonization, and should consider the text of the resolution as presented in the report.

11. **Ms. Graham** (New Zealand) recalled that the right to self-determination was enshrined in the Charter and in key international human rights instruments, and was one of the fundamental precepts of the Organization. While the exercise of that right must be considered in context, it was not qualified in the Charter or covenants by the existence or otherwise of sovereignty disputes. It would be extraordinary for any subsidiary body of the Organization to suggest that such a limitation existed; to do so would call into question the ability of peoples in various situations currently under consideration by the United Nations to exercise that most basic right.

12. It was therefore unacceptable that the phrase "and where there is no dispute over sovereignty" had been inserted into the text of the draft resolution; her delegation called for its deletion so that the Committee could return to the consensus text used the previous year.

13. **Ms. Bolaños Pérez** (Guatemala), speaking on behalf of the Rio Group, said that if the phrase were to be deleted that would suggest that the principle of self-determination was applicable to all 16 Territories currently under consideration by the Committee, including those expressly defined by the General Assembly and the Special Committee on decolonization as special and particular decolonization issues owing to the existence of sovereignty disputes. That was not so. As clearly established by General Assembly resolution 1514 (XV), the principle of self-determination did not apply in the cases of special and particular colonial cases involving sovereignty disputes recognized by the Organization.

14. The language of the draft resolution was fully compatible with the many resolutions previously adopted by the General Assembly and the Special Committee on decolonization. Her delegation therefore opposed the amendment.

15. **Ms. Alaoui** (Morocco) said that her delegation wished to clarify that the question of Western Sahara was actually a regional conflict left over from the days of the Cold War. Morocco had completed decolonization of that Territory in 1975, and but for regional resistance, it would have been removed from the list of Non-Self-Governing Territories at that time. The current debate thus did not involve Western Sahara in any way.

16. **Mr. Taleb** (Syrian Arab Republic) said that the principles of self-determination and territorial integrity had been enshrined in the Declaration on the Granting of Independence to Colonial Countries and Peoples and continued to guide the work of the Special Committee. The list of 16 Non-Self-Governing Territories had been compiled on the basis of those fundamental principles. The language contained in paragraph 2 of the draft resolution did not introduce any new concepts, but merely reaffirmed those principles. Moreover paragraph 2 did not in any way apply to occupied territories that were not within the mandate of the Special Committee.

17. The Special Committee had drafted its report over the course of a lengthy and transparent negotiation process and had called upon States to participate in the negotiations and to raise any concerns they might have. They had not done so.

18. **Mr. Álvarez** (Uruguay) noted that the paragraph in question had been approved by consensus following extensive negotiations within the Special Committee, and that the wording of said paragraph was in line with various United Nations resolutions — among them General Assembly resolution 1514 (XV) — which affirmed that the principle of self-determination must not be applied at the expense of the territorial integrity of States and that it did not extend to special and particular colonial cases involving sovereignty disputes recognized by the United Nations. His delegation therefore supported the text of the draft resolution as contained in the report.

19. **Mr. Limeres** (Argentina) expressed surprise at the amendment proposed by the United Kingdom to paragraph 2 of the draft omnibus resolution given that, four days earlier, the Committee had adopted a resolution endorsing the report of the Pacific Regional Seminar on decolonization (contained in A/63/23, chap II, annex). The latter reiterated that in the process of decolonization, and where there was no dispute over sovereignty, there was no alternative to the principle of self-determination. Hence, paragraph 2 was drafted to acknowledge the primacy of the principle of self-determination in the decolonization process, while also recognizing the existence of special and particular colonial cases involving an internationally recognized sovereignty dispute. In accordance with relevant United Nations resolutions, such disputes were to be resolved through diplomatic negotiations between the parties involved.

20. While the draft resolution under discussion did not refer specifically to the question of the Malvinas Islands, paragraph 2 did contain some general principles governing decolonization that must be observed. It should be noted that both the General Assembly and the Special Committee had defined the question of the Malvinas Islands as a special and particular decolonization issue, to be resolved between the Argentine Republic and the United Kingdom, and in which the principle of territorial integrity superseded that of self-determination.

21. Finally, he noted that, after abstaining from voting on the resolution that had led to the establishment of the Special Committee, the United Kingdom had refused to participate in its activities; that refusal was all the more egregious given that the United Kingdom was the administering Power of 10 of the 16 Non-Self-Governing Territories. The amendment proposed by the colonial Power merely constituted another attempt to make the Special Committee's precepts conform to its interests.

22. **Mr. Yáñez-Barnuevo** (Spain) said that his delegation supported the application of the principle of self-determination to the Territories mentioned in the draft omnibus resolution, which were explicitly addressed in section B of the resolution. However, section A, which included paragraph 2, covered a broader range of issues relating to decolonization. Paragraph 2 reflected the case-by-case approach favoured by the Special Committee, which took into account the diversity of colonial situations in the 16 Non-Self-Governing Territories. Furthermore, in his letter to the Committee, dated 6 October 2008, the Chairman of the Special Committee had recalled that the paragraph was also in line with several resolutions previously adopted by the General Assembly and the Special Committee. As currently drafted, paragraph 2 emphasized the fact that, in decolonization questions involving a sovereignty dispute, the principle of territorial integrity should be applied, rather than that of self-determination, and that the dispute should be resolved peacefully through direct negotiations between the concerned parties. Consequently, Spain supported retention of draft resolution VI in its current form.

23. **Mr. Hosseini** (Islamic Republic of Iran) recalled that the Special Committee had frequently called on the administering Powers to assume a more active role in its work, particularly in consultations on the drafting of various resolutions and decisions, and it had also stressed the necessity of improving the exchange of information on the Non-Self-Governing Territories with the administering Powers. Regrettably, for the most part, the Special Committee had not received a satisfactory response thus far. His delegation reiterated its full support for the report adopted by the Special Committee and hoped that the Fourth Committee would adopt the draft resolutions contained therein by consensus.

24. **Mr. Amil** (Pakistan) said that the inclusion of new language in paragraph 2 would jeopardize the consensus achieved in previous years on the important resolution. Notwithstanding the procedural clarifications provided, the implications of the new language had not been adequately explained. His delegation was in favour of taking additional time to

consider the issue, if that would allow the Committee to reach a consensus.

25. **Mr. Malmierca Diaz** (Cuba) said that his delegation would vote against the amendment proposed by the United Kingdom and it hoped the Committee would adopt draft resolution VI, as currently worded, by consensus for the text had been carefully considered and had been submitted in a timely manner. The Special Committee had been mandated to consider questions relating to decolonization and his delegation would therefore oppose any attempt to establish a precedent that might undermine its credibility.

26. The conclusions and recommendations of past Regional Seminars on decolonization, used language identical to that of the draft resolution under consideration. By adopting the yearly resolution on implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Committee had approved the outcomes of those Regional Seminars — which were contained in the Special Committee's annual reports. Pursuant to General Assembly resolution 1514 (XV), sovereignty disputes must be settled through direct negotiations between the parties involved. In that connection, his delegation reaffirmed its unconditional support for the legitimate right of the Argentine Republic to the Malvinas Islands as part of its national territory, and renewed its call on the parties to negotiate a just and lasting solution to the dispute.

27. **Mr. Turay** (Sierra Leone) expressed support for the proposed amendment to draft resolution VI, since the current wording of paragraph 2 was not in line with the Charter. Given the importance of the matter under consideration, delegations should be granted more time to consult with their capitals.

28. **Mr. Gonsalves** (Saint Vincent and the Grenadines) said that his delegation was committed to the right of all peoples to self-determination and it opposed the introduction of political-inspired measures that were of limited utility to the 11 Territories covered by the current omnibus resolution, none of which was subject to a sovereignty dispute. At the same time, he acknowledged that States might have legitimate fear of their territory being annexed by current or future occupying Powers who manipulated the principle of self-determination to suit their geopolitical ambitions and expressed regret that the Caribbean region was becoming a playground for the political jockeying of larger Powers. Given the pros and cons of including the disputed language in draft resolution VI, he asked the Committee to defer action so that the legitimate concerns of both sides could be addressed.

29. After a procedural discussion in which **Mr. Cabral** (Guinea-Bissau), **Mr. Tagle** (Chile), **Mr. Siles Alvarado** (Bolivia), **Mr. St. Aimee** (Saint Lucia), **Mr. Blair** (Antigua and Barbuda), **Mr. Wolfe** (Jamaica), **Sir John Sawers** (United Kingdom), and **Mr.** Khalid **Ali** (Sudan) took part, **the Chairman** drew the Committee's attention to rule 118 of the rules of procedure of the General Assembly, according to which motions to suspend or adjourn the meeting should not be debated but should be immediately put to the vote.

30. *In accordance with rule 118 of the rules of procedure, Mr. Gonsalves (Saint Vincent and the Grenadines) moved that the meeting should be suspended.*

31. *A vote was taken by show of hands.*

32. *The motion was adopted by 75 votes to 54, with 1 abstention.*

The meeting was suspended at 5.20 p.m.

United Nations A/C.4/63/SR.11 (Resumption 1)

General Assembly
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Summary record of the second part* of the 11th meeting
Held at Headquarters, New York, on Monday, 20 October 2008, at 3 p.m.

Chairman: Mr. Argüello ..... (Argentina)

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Agenda item 37: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*)

* The summary record of the first part of the meeting, held on Friday, 17 October 2008, appears as document A/C.4/63/SR.11.

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08-56043 (E)

The meeting was reconvened at 3 p.m.

Agenda item 37: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*)

Draft resolution VI on the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands (continued) (A/63/23, chap. XII; A/C.4/63/L.6)

1. **Mr. Tagle** (Chile) said that the insertion of the clause "and where there is no dispute over sovereignty" after the words "process of decolonization" in paragraph 2 added nothing new to the substance of the traditional consensus resolutions on the small Territories but merely clarified the understanding underlying the consensus.

2. **Mr. St. Aimee** (Saint Lucia), recalling that the objective of the draft resolution was to help colonial peoples achieve self-determination, said that the reference to disputed sovereignty might offer administering Powers an excuse for shirking their responsibility to hasten decolonization. He therefore pleaded with delegations not to become embroiled in language that added an issue extraneous to the process of decolonization.

3. **Mr. Benmehidi** (Algeria) said that while his delegation was a firm supporter of the work of the Special Committee, it believed that the Committee should have given more thought to the dangerous effect the new clause might have on colonial situations, particularly in Western Sahara, which one delegation maintained was not a question of decolonization but rather of sovereignty. The text introduced a restriction to the right of self-determination and would undoubtedly be seized upon by those who wished to impede negotiations on self-determination. In the interests of the peoples of the Non-Self-Governing Territories he was therefore in favour of deleting the new clause.

4. **Mr. Gordon** (United States of America) said that the proposed new language was unnecessary and only served to divide a Committee that had a long history of consensus on the issue under consideration. He urged the Special Committee on decolonization to revert to the consensus language used in previous years.

5. **Mr. Kumalo** (South Africa), observing that he had long admired how carefully the Special Committee had dealt with sensitive issues, said that the new clause introduced an issue of disputed sovereignty that was totally out of place in draft resolution VI and his Government could not accept it. The right to self-determination was a basic right and a fundamental principle of international law that was qualified neither in the Charter nor in the human rights covenants; it should not be qualified in the draft resolution. The remainder of the draft resolution was, however, acceptable.

6. **Sir John Sawers** (United Kingdom) observed that the Special Committee had not fully considered the unpredictable ramifications of linking self-determination to the issue of disputed sovereignty. Sovereignty disputes did not apply to the Territories covered by the draft resolution before the Committee. The text should therefore return to the consensus language of the past. That had been the purpose of the amendment his delegation had proposed. Self-determination was a fundamental principle, and it would be perilous to tinker with it.

7. **Mr. Chabar** (Morocco) observed that self-determination could take several forms. In Western Sahara, for instance, the process of decolonization had ended with the 1984 agreement between Spain and Morocco — endorsed by the local Saharawi assembly of the day and by the Parliaments of the two Governments — which had transferred to Morocco sovereignty over that part of the Territory formerly administered by Spain; when Mauritania had subsequently renounced control over its part of the Territory, Morocco had been left as the sole administering Power.

8. **Mr. Benmehidi** (Algeria), reiterating his objections to paragraph 2, said that the proper forum for discussions between Member States and administering Powers was the Special Committee on decolonization; it, however, was not in the habit of hearing statements from occupying Powers.

9. **Mr. Butagira** (Uganda) said that his delegation believed firmly in the Charter principle of self-determination and could never accept a text that watered that principle down. It therefore supported the deletion proposed in the draft amendment.

10. **The Chairman** said that the Committee should proceed to take a decision on draft resolution VI and

the proposed amendment contained in document A/C.4/63/L.6; in accordance with rule 130 of the Rules of Procedure, the latter would be taken up first. A recorded vote had been requested by the representative of Brazil, and he invited explanations of vote before the vote.

11. **Mr. Windsor** (Australia) said that the fundamental right to self-determination could not be affected by disputes over sovereignty. His delegation therefore would support the proposed amendment. If the new wording was retained, his delegation would abstain in the decision on draft resolution VI as a whole.

12. **Ms. Espinosa** (Ecuador), said that as a supporter of self-determination in all its forms, her delegation would support the adoption of the draft resolution as drafted by the Special Committee.

13. **Mr. Chan** Wei Sern (Singapore) said that his delegation would support the proposed amendment because the text as currently drafted, imposed conditions on peoples seeking to achieve decolonization. It would, however, vote in favour of the draft resolution as a whole.

14. **Mr. St. Aimee** (Saint Lucia), speaking in explanation of vote before the voting, said that his delegation would vote in favour of the amendment so as to restore the consensus text of the previous sessions.

15. **Mr. Palavicini-Guédez** (Bolivarian Republic of Venezuela), speaking in explanation of vote before the voting, recalled that the text of draft resolution VI had been approved by consensus by the Special Committee. Approval of the amendment proposed by the United Kingdom would imply that the Special Committee had acted in error. The text was in conformity with the language of relevant United Nations resolutions and the outcomes of related regional seminars. His delegation would vote against the amendment.

16. **Mr. Siles Alvarado** (Bolivia), speaking in explanation of vote before the voting, said that his delegation would vote against the amendment. The text of draft resolution VI had been approved by consensus in the Special Committee and reflected the provisions of General Assembly resolution 1514 (XV) concerning the principles of the right to self-determination and respect for territorial integrity. Any violation of the principle of respect for territorial integrity would be incompatible with the Charter. That position had been reaffirmed at the regional seminars on decolonization.

17. *A recorded vote was taken on the amendment contained in document A/C.4/63/L.6.*

In favour:

Albania, Algeria, Armenia, Australia, Austria, Bangladesh, Belgium, Belize, Botswana, Bulgaria, Burundi, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Guyana, Haiti, Hungary, Iceland, Ireland, Italy, Jamaica, Kazakhstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Mongolia, Montenegro, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Poland, Saint Lucia, Samoa, San Marino, Sierra Leone, Singapore, Slovenia, South Africa, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Zambia, Zimbabwe.

Against:

Argentina, Belarus, Bolivia, Brazil, Central African Republic, Chile, China, Colombia, Costa Rica, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, El Salvador, Ethiopia, Guatemala, Honduras, India, Indonesia, Iran (Islamic Republic of), Malaysia, Mali, Mauritius, Mexico, Mozambique, Myanmar, Nicaragua, Panama, Papua New Guinea, Paraguay, Peru, Russian Federation, Senegal, Spain, Suriname, Syrian Arab Republic, Tunisia, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam.

Abstaining:

Andorra, Angola, Antigua and Barbuda, Bahamas, Bahrain, Barbados, Benin, Brunei Darussalam, Burkina Faso, Cape Verde, Cyprus, Djibouti, Dominica, Egypt, Equatorial Guinea, Fiji, Gabon, Gambia, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Japan, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malta, Morocco, Namibia, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saudi Arabia, Slovakia, Sri Lanka, Sudan, Swaziland, Thailand, Togo.

18. *The amendment was adopted by 61 votes to 40, with 47 abstentions.*

19. **Mr. Al-Allaf** (Jordan) speaking in explanation of vote, said that international law allowed for no restrictions on the right to self-determination. His delegation had abstained during the voting because the Special Committee had not provided a satisfactory explanation of why it had chosen to add a reference to disputes over sovereignty. It was his delegation's position that paragraph 2 was not applicable to territories that were not included in the Committee's mandate.

20. **Mr. Wolfe** (Jamaica) said that his delegation had voted in favour of the amendment because otherwise paragraph 2, could have been be interpreted as meaning that, in cases where there was a dispute over sovereignty, the right to self-determination could be set aside or even abrogated. His delegation could not support any qualification of the fundamental right to self-determination. He nevertheless reaffirmed his delegation's support for the work of the Special Committee in promoting self-determination, in particular for the Non-Self-Governing Territories in the Caribbean, and called on all Member States to play a more active role in its work.

21. **Mr. Natalegawa** (Indonesia) regretted the controversy concerning the language of operative paragraph 2 and suggested that the current debate could have been avoided had certain delegations taken a more active interest in the work of the Special Committee. His delegation was committed to the principle of self-determination. The Special Committee had modified paragraph 2 bearing in mind the fact that General Assembly resolution 1514 (XV) upheld not only the principle of the right to self-determination but also the principle of respect for territorial integrity. He considered it a question of principle that the consensus position of the Special Committee should be accepted.

22. **Mr. Gatan** (Philippines) expressed support for the principle of self-determination for the remaining Non-Self-Governing Territories. While some of those situations might involve a dispute over sovereignty, such was not the case in the Territories dealt with in the draft resolution. His delegation had therefore abstained during the voting.

23. **Mr. Talbot** (Guyana) said that the original text of the draft resolution had seemed to place a restriction on the right to self-determination. Furthermore, since there was no dispute over sovereignty relating to the Non-Self-Governing Territories dealt with in the draft resolution, it had not seemed relevant to the cases at hand. His delegation had supported the amendment for it considered the right to self-determination to be a fundamental principle of international law and an absolute right regardless of disputes over sovereignty. He nevertheless reaffirmed his delegation's support for the work of the Special Committee.

24. **Ms. Coye-Felson** (Belize) expressed absolute support for the principle of the right to self-determination as well as for the work of the Special Committee. She regretted, however, that no explication had been given for the modification of paragraph 2 of the consensus text adopted in previous years nor had there been a satisfactory explanation of the possible consequences of restricting the right to self-determination in cases where there were disputes over sovereignty. In addition, since there were no disputes over sovereignty in the Non-Self-Governing Territories dealt with in the draft resolution, there was no need to modify the text. She hoped that in future the Special Committee would ensure that draft resolutions relating to its role in promoting self-determination could be adopted by consensus.

25. **Mr. Elsherbini** (Egypt) said that his delegation supported the unequivocal application of the right to self-determination. It had abstained during the voting because the Special Committee had not given any explanation of the possible consequences of the additional element added to paragraph 2. He stressed that that paragraph was not applicable to territories outside the mandate of the Special Committee, including the Palestinian territories occupied by Israel in 1967.

26. **Mr. Al-Jarman** (United Arab Emirates) said that his delegation supported the work of the Special Committee and it unconditionally supported the right to self-determination. His delegation had therefore voted in favour of the amendment.

27. **Mr. Hussain** (Pakistan) underscored his delegation's unwavering support for decolonization and for the right to self-determination His delegation had voted in favour of the amendment because the original text of paragraph 2 could have been interpreted as putting limits on the right to self-determination; it looked forward to adoption of the draft resolution, as amended, by consensus. His

delegation would continue to support the efforts of the Special Committee to promote the right of all peoples to self-determination.

28. **The Chairman** said that he took it that the Committee wished to adopt draft resolution VI, as amended, by consensus.

29. *It was so decided.*

30. **Sir John Sawers** (United Kingdom) welcomed the adoption by consensus of the amended text of the draft resolution and reaffirmed his delegation's full support for the right to self-determination. He urged the Special Committee to take fully into account the new and modern relationship between the United Kingdom, as administering Power, and its overseas territories, which enjoyed the full support of the parties concerned including the peoples of those territories. That would facilitate fuller cooperation between the Special Committee and the United Kingdom in its capacity as administering Power of several of the Territories concerned. The draft resolution did not fully reflect the modern relationship between his Government and its overseas territories and some of its language did not concur with his Government's practice or views. His delegation was nevertheless prepared to cooperate with the Special Committee. With regard to the specific case of Saint Helena mentioned in the draft resolution, he said that no decision had as yet been taken regarding the upgrading of transit links.

31. **Mr. Limeres** (Argentina) welcomed the consensus on the amended text of draft resolution VI and expressed support for the fundamental right of people, including all peoples colonized by a colonial Power, to self-determination in all its forms. The right to self-determination must likewise be applied in cases involving a dispute over sovereignty. In such cases, the General Assembly had underscored that the only way of resolving the dispute was through negotiations between the parties concerned. His delegation had not supported the amendment because it modified the thrust of the original text, which had the support of the Special Committee. He called on delegations to take a more active interest in the work of the Special Committee in order to avoid a repeat of the current situation, which had been caused by the objection of an administering Power.

32. **Mr. Oyarzun** (Spain) welcomed the consensus on draft resolution VI and expressed his delegation's support for self-determination for the Territories dealt with in the draft resolution. He underscored that, in particular cases involving a dispute over sovereignty, the principle of territorial integrity, as set out in General Assembly resolution 1514 (XV) and other relevant resolutions, must be respected. He regretted that as a result of the adoption of the amendment contained in document A/C.3/63/L.6 the text of the draft resolution did not reflect the consensus in the Special Committee regarding the need to recognize the diversity of situations in the various Non-Self-Governing Territories.

33. **Mr. Benmehidi** (Algeria) welcomed the adoption of draft resolution VI by consensus and expressed his delegation's support for the right to self-determination of the Non-Self-Governing Territories dealt with in that draft resolution as well as all other Non-Self-Governing Territories.

34. **Mr. Chabar** (Morocco), speaking in exercise of the right of reply to an earlier intervention by the representative of Algeria, said that he regretted the reference made to the situation in Western Sahara and cautioned against a selective reading of the right to self-determination. The situation in the Western Sahara was a regional dispute that must be resolved by a political process under the auspices of the United Nations, including the Security Council, in accordance with Article 33 of the Charter. Morocco could not be considered an occupying Power under relevant international law nor had any international body ever referred to it as such.

The meeting rose at 4.50 p.m.